

1966
—
VICTORIA.

STANDING ORDERS
of the
LEGISLATIVE COUNCIL;
together with the
JOINT STANDING ORDERS
of the
LEGISLATIVE COUNCIL
and the
LEGISLATIVE ASSEMBLY.



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STANDING ORDERS

OF THE

LEGISLATIVE COUNCIL.

(Approved 17th December, 1924.)

CHAPTER I.

PROCEEDINGS ON THE OPENING OF PARLIAMENT.

1. On the first day of the meeting of a new Parliament for the despatch of business, pursuant to Proclamation, and at the time and place appointed, the Clerk shall read the Proclamation. First Session of new Parliament. Proclamation read by the Clerk.
2. The Usher shall then introduce to the Council Chamber Commissioners from His Excellency the Governor appointed to open Parliament. Commissioners introduced.
3. At the desire of the Senior Commissioner the Usher shall request the presence of the Members of the Assembly to hear the Commission read. Assembly summoned.
4. The Members of the Assembly having presented themselves, the Clerk shall read the Commission. Commission read by the Clerk.

Assembly
requested
to elect
Speaker.

5. The Senior Commissioner will then inform the Members of both Houses that His Excellency the Governor will at a future time declare the cause of his calling Parliament together, and will request the Members of the Assembly in the meantime to proceed to the election of their Speaker.

President
takes Chair
and reads
Prayer.

6. The Commissioners and the Members of the Assembly having withdrawn from the Council Chamber, the President shall take the Chair and read the Lord's Prayer.

New
Members.

7. New Members may then be introduced and sworn.

Adjourn-
ment.

8. The Council will then adjourn.

Governor's
approach
awaited.

9. At the next meeting after the adjournment the President shall take the Chair and await the approach of His Excellency the Governor.

Second
or subse-
quent Ses-
sion.

Proclama-
tion read by
the Clerk.

10. On the day and at the hour appointed for the commencement and holding of any Session of Parliament not being the first meeting after a dissolution of the Assembly, the Clerk shall read the Proclamation convening Parliament.

Governor
announced
by Usher.

11. When His Excellency the Governor has arrived at the Council Chamber, the Usher shall announce his arrival and conduct him to the Chair, the President leaving the Chair and taking one to the right of His Excellency.

Assembly
summoned.

12. Upon the command of His Excellency the Governor, the Usher shall desire the immediate attendance of the Assembly in the Council Chamber.

13. When the Members of the Assembly have come with their Speaker into the Council Chamber, His Excellency the Governor will proceed to declare the cause of his calling the Parliament together.

Governor's
Speech.

14. The President and the Speaker will then each receive a copy of His Excellency the Governor's Speech from his Private Secretary, and His Excellency will then withdraw from the Council Chamber.

Copy of
Speech to
President
and
Speaker.

15. The President shall then take the Chair and read the Lord's Prayer.

Prayer.

16. Before His Excellency the Governor's Speech is reported to the House, some Bill is read a first time.

Privilege
Bill intro-
duced.

17. Notices of Question and of Motion may then be given, and papers laid upon the Table.

Notices of
Motion, &c.

18. The President shall then report to the Council the Speech of His Excellency the Governor.

Speech
reported.

19. The Speech having been reported by the President, a motion for an Address in reply to the Speech will then be made.

Motion for
Address in
reply.

20. On the Address being read, the Council will resolve to agree to the same with or without amendment.

Address
agreed to.

*20A. The debate on the Address in Reply shall take precedence over all other business except questions, formal business, urgent motions, and urgent Bills. For the purposes of this Standing Order formal business shall

Precedence
of debate
on Address.

be deemed to include motions for Sessional Orders, leave of absence to Members, appointment of Standing Committees, and introduction and first reading of Bills.

Motion for
presenting
Address.

21. A motion will then be made that the Address be presented to His Excellency the Governor by the President and such Members as may desire to accompany him, or in such other manner as His Excellency may appoint.

Governor's
reply
reported.

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

If office of
President
vacant,
and new
Member to
be sworn,
Commis-
sioner
introduced.

23. In case the office of President of the Council become vacant during the prorogation of Parliament, and any new Member be elected during such prorogation, so soon as the Clerk has read the Proclamation convening Parliament the Usher shall introduce a Commissioner appointed by His Excellency the Governor for swearing Members, and the Clerk shall read his Commission.

Writs when
office of
President
vacant, how
announced.

24. After such Commission has been read the Clerk shall read, with the returns endorsed thereon, any Writs delivered to him that have been issued during the prorogation, either by the President while in office, or by His Excellency the Governor, in pursuance of The Constitution Act Amendment Acts.

Members
sworn.

25. Members returned pursuant to such Writs will then be sworn as prescribed by The Constitution Act Amendment Acts.

Commis-
sioner
retires.

26. The Commissioner will then retire from the Council Chamber.

CHAPTER II.

ELECTION OF PRESIDENT.

27. Whenever the office of President becomes vacant, a Member, addressing himself to the Clerk, shall propose to the Council for their President some Member then present, and move that such Member do take the Chair of the Council as President.

Election of
President.

28. If only one Member be proposed and seconded as President, he shall express in his place his sense of the honour proposed to be conferred upon him, and submit himself to the Council, and he shall be then taken out of his place by the Members who proposed and seconded him, and by them conducted to the Chair.

When only
one Member
proposed.

29. If more than one Member be proposed as President, a motion shall be made and seconded regarding each such Member "That the Honorable do take the Chair of the Council as President;" and each Member so proposed shall address himself to the Council.

When more
than one
Member
proposed.

30. A question shall be then put by the Clerk that the Member first proposed "do take the Chair of the Council as President," which shall be resolved in the affirmative or negative, like other questions.

Question
put by the
Clerk.

31. If the question be resolved in the affirmative, the Member shall be conducted to the Chair; but if in the negative, a question shall be then put by the Clerk that the Member next proposed "do take the Chair of the Council as President," and if it be resolved in the affirmative the Member shall be conducted to the Chair.

If question
passed.

If
negated.

President
elect takes
the Chair.

32. Having been conducted to the Chair, the Member elected shall return his acknowledgments to the Council for the honour conferred upon him, and thereupon take the Chair.

President
elect pre-
sents him-
self to Go-
vernor.

33. Before proceeding to any business, the President elect, with such Members of the Council as desire to accompany him, shall present himself to His Excellency the Governor as the choice of the Council.

Governor's
reply to be
reported.

34. The President shall report to the Council any reply that may be made by His Excellency the Governor.

*Deputy-
President.

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

CHAPTER III.

PROCEEDINGS ON PROROGATION.

Governor's
approach
announced
by Usher.

36. On the prorogation of Parliament by His Excellency the Governor in person, the Usher shall announce the arrival of His Excellency and shall conduct him to the Chair, the President leaving the Chair and taking one to the right of the Governor.

Assembly
summoned.

37. Upon the command of His Excellency the Governor, the Usher shall desire the immediate attendance of the Assembly in the Council Chamber.

* In the absence of the President, the Council may choose some other Member to be Acting-President. (*See Act No. 3660, s. 61.*)

38. When the Members of the Assembly have come with their Speaker into the Council Chamber, the Clerk of the Parliaments having received the Supply and Appropriation Bills (if any) from the hands of the Speaker shall present them, together with other Bills passed by the two Houses of Parliament, to His Excellency the Governor for the signification of His Majesty's pleasure thereon, and His Excellency's determination on each Bill respectively shall be read by the Clerk of the Parliaments.

Assent to
Bills.

39. His Excellency the Governor will then make a Speech, and prorogue the Parliament.

Prorogation.

CHAPTER IV.

SITTING AND ADJOURNMENT OF THE HOUSE.

40. The President shall take the Chair soon after the time appointed for the meeting of the Council as a quorum* of Members is present, and shall read the Lord's Prayer; but if, at the expiration of half an hour after the time appointed, there be not a quorum, the President shall then take the Chair and adjourn the Council to the next sitting day, the bells having been previously rung as for a division.

President
takes Chair
when
quorum
present.

If a quorum
not present
within half
an hour,
Council
adjourned.

41. If at any time after the commencement of the business of the day it appear, on notice being taken, or on a division, that there is

If want of a
quorum be
noticed,
Council ad-
journd.

* To constitute a quorum there must be present (exclusive of the President) one-third at least of the Members of the Council. (See section IX. of The Constitution Act)

not a quorum of Members present, the President shall, after the bells have been rung as for a division, count the Members, and, if there be not a quorum present, shall, without question put, adjourn the Council to the next sitting day.

Doors unlocked whilst President counting.

42. The doors of the Chamber shall be unlocked when the President is engaged in counting the Council.

Special meeting of the Council.

43. If during the currency of any adjournment of the Council any emergency shall arise which in the opinion of the President renders it desirable that the Members of the Council should meet for the consideration of any matter before the time previously fixed for meeting, the President shall be empowered to appoint a day and hour for a special meeting to deal with such matter and to summon Members to such special meeting: Provided always that the said date shall not be earlier than two days from the date of summons.

Strangers.

44. The Usher shall from time to time take into his custody any stranger (save as in the next Order mentioned) whom he sees or who is reported to him to be in any part of the Council appropriated exclusively to the Members of the Council, and also any stranger who, having been admitted into any other part of the Chamber or Gallery, misconducts himself or does not withdraw when strangers are directed to withdraw while the Council or any Committee of the whole Council is sitting; and no person so taken into custody shall be discharged out of custody without the order of the Council.

45. No strangers shall, without leave of the Council, be admitted to the body of the Council Chamber within the Bar while the Council or a Committee of the whole Council is sitting.

Strangers not admitted within the Bar.

46. Members of the Assembly may be admitted without orders to the benches to the right of the President, outside the Bar.

Assembly Members to have seats outside the Bar.

47. Accommodation may be provided for the Speaker of the Assembly within the body of the Council Chamber.

Seat for Speaker within the Chamber.

48. The President only shall have the privilege of admitting strangers to the body of the Council Chamber outside the Bar; but every Member shall have the privilege of admitting by orders strangers to the Gallery of the Council Chamber.

Orders for admission of strangers.

49. If at any sitting of the House, or in Committee, any Member shall take notice that strangers are present, the President or the Chairman (as the case may be) shall forthwith put the question "That strangers be ordered to withdraw" without permitting any debate or amendment: Provided that the President or the Chairman may, whenever he thinks fit, order the withdrawal of strangers from any part of the House.

Strangers to withdraw when ordered.

50. The Standing Orders Committee shall prescribe the arrangements for the opening and prorogation of Parliament, which arrangements the Usher shall carry into effect under the direction of the President.

Standing Orders Committee prescribe arrangements for opening and prorogation.

Minutes of
Proceedings.

51. Every vote and proceeding of the Council shall be noted by the Clerks at the Table, and the Minutes of the Proceedings of the Council shall be printed; the Government Printer shall print the same; and the Minutes of the Proceedings, so printed and signed by the Clerk of the Council, shall be the Journals of the Council; but the Council may at any time by order restrain the publication of any of its proceedings.

Custody of
records and
documents.

52. The custody of all records or other documents belonging to the Council shall be in the Clerk, who shall not permit any to be removed without leave of the Council or, during any adjournment or prorogation, without leave of the President.

Adjourn-
ment
motions.

53. No Member, unless he be a Minister of the Crown or some Member deputed by him, shall be allowed to move "That the Council do now adjourn" unless, on his rising to make such motion, six other members shall rise in their places and require the motion to be proposed. The Member moving the adjournment shall state in writing the subject that he proposes to speak to, and the debate shall be strictly confined to the subject so stated. And no Member having moved or seconded any such motion shall be entitled to move or second any similar motion during the same debate.

If adjourn-
ment
motion an
abuse of the
rules.

54. If the President be of opinion that a motion for the adjournment of a debate or of the Council during any debate is an abuse of the rules of the Council, he may forthwith put the question thereupon from the Chair.

CHAPTER V.

ATTENDANCE AND PLACES OF MEMBERS.

55. Every Member is bound to attend the service of the Council, unless leave of absence be given to him by the Council, and shall during such attendance remain uncovered. Every Member to attend service of Council.

56. Leave of absence may be given by the Council to any Member for sufficient cause to be stated to the Council. Leave of absence.

57. Notice shall be given of a motion for giving leave of absence to any Member, stating the cause and period of absence. Notice of Motion to be given.

58. If any Member having leave of absence attend the service of the Council before the expiration of such leave, his leave shall thereupon expire. Leave of absence, how forfeited.

59. When an order is made that the Council be called, such call shall not be made for any day earlier than seven days from the date of such order, inclusive of the day of such order. Call of the Council.

60. A copy of the order for a call of the Council, signed by the Clerk, shall be delivered by hand or forwarded by post, addressed to each Member of the Council. Order for call of the Council to be forwarded.

61. For the purpose of enabling this notice to be given, the Usher shall keep a book and enter therein the name and address of every Member. Usher to keep book of Members' addresses.

62. The order for a call of the Council on a future day shall be set down as the first Order of the Day for the day so appointed. Call of the Council an Order of the Day

Names called
in
alphabetical
order.

63. When the Order of the Day for a call of the Council is read, unless the same be postponed or discharged, the names of the Members shall be called over by the Clerk in alphabetical order.

Members not
present but
subse-
quently at-
tending.

64. The names of all Members who do not answer when called shall be taken down by the Clerk, and subsequently called a second time, when those who answer, or afterwards attend in their places on the same day, may be excused.

Members
not attend-
ing during
the same
day.

65. Members not attending in their places on the same day may be ordered to attend on a future day; when, unless they attend, or an excuse to the satisfaction of the Council be offered for their absence, they may be dealt with for their default as the Council may think fit.

CHAPTER VI.

NOTICES AND ORDERS OF THE DAY.

Ordinary
business of
the Day.

66. The ordinary business of each day consists of the giving of notice of Questions and Motions, the answering of Questions, the presentation of Petitions, and the discussion of Motions and of Orders of the Day.

Order of the
Day defined.

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

68. No Notice of Question or of Motion shall, without leave of the Council, be received after the Council has proceeded to the Orders of the Day.

Notices of Motion, &c., when to be given.

69. Questions may be put to Ministers of the Crown relative to public affairs, and to other Members relating to any Bill motion or other public matter connected with the business before the Council in which such Members may be concerned.

Questions to Ministers or other Members.

70. In putting any such question, no argument or opinion shall be offered, nor any facts stated, except so far as may be necessary to explain such question.

Questions not to involve argument.

71. In answering any such question, the Minister or Member shall not debate the matter to which the same refers.

In answering a question the matter not to be debated.

72. Motions shall take precedence of Orders of the Day, except on days fixed for the consideration of Government business, and shall, unless postponed, be moved in the order in which they stand on the Notice-paper.

When Motions to precede Orders of the Day.

73. On the presentation of any document a motion may be made, without notice, that it be printed, and a day appointed for its consideration.

Printing of a document may be moved without notice.

74. After Questions and Motions have been disposed of, the President shall direct the Clerk at the Table to read the Orders of the Day, without any question being put.

Clerk to read the Orders of the Day.

Motions and
Orders not
called on.

75. All Motions and Orders of the Day which at the adjournment of the Council have not been called on shall, according as they relate to Government business or general business, be set down in the Notice-paper after the Notices of Motion and Orders of the Day respectively for the next day on which the Council sits.

Revival of
dropped
Motions and
Orders.

76. If a Motion or Order of the Day drops off the Notice-paper owing to no day being appointed for its future consideration or to its being superseded or to the debate thereon being interrupted by a Count Out, such Motion or Order may be restored to the Notice-paper for a subsequent day on Motion without notice made before the commencement or after the close of public business.

Notices to be
in writing,
and
delivered at
the Table.

77. Every Member in giving notice of a Question or Motion shall read it aloud and deliver at the Table a copy of such notice fairly written, signed by him or on his behalf, and stating the day proposed for asking such Question or bringing on such Motion.

A Member
not to give
two Notices
consecu-
tively.

78. A Member may not give for himself two Notices of Question or of Motion consecutively if any other Member has any notice to submit.

Notice may
be given for
absent
Members.

79. A Member may give notice for any other Member not then present by putting the name of such Member on the Notice of Question or of Motion.

Restriction
upon giving
Notices.

80. No Notice of Question or of Motion may be given for a day beyond fourteen days from the day of giving the same.

81. Every Notice of Question or of Motion and Order of the Day shall be printed and circulated.

Notices, &c.
to be
printed and
circulated.

82. Any Notice or part of a Notice of Question or of Motion containing, in the opinion of the President, unbecoming expressions or, in the case of a Notice of Question, debatable matter, may be omitted from the Notice-paper by order of the President.

Notices may
be expunged.

83. A Member desiring to change the day for asking a Question or bringing on a Motion, may give notice of such Question or Motion for any day subsequent to that first named, but not earlier, subject to the same rules as other Notices of Question or of Motion.

Notices may
be post-
poned.

84. After a Notice of Question or of Motion has been given, the terms thereof may be altered by the Member, on delivering or causing to be delivered at the Table an amended notice one day at the least prior to the day for asking such Question or making such Motion.

Notices may
be altered.

85. All questions of Order or Privilege at any time arising shall suspend the consideration and decision of every other question, but an adjourned debate on such questions shall not be entitled to precedence unless so ordered.

Effect of
question of
Order or
Privilege
arising.

86. Precedence shall be given to a motion for a vote of thanks of the Council.

Vote of
thanks.

87. A Question may be asked or a Motion may be made by leave of the Council without previous notice.

Questions
and
Motions
without
notice.

CHAPTER VII.

QUESTIONS PUT BY PRESIDENT.

Question
proposed by
President.

88. When a motion has been made and seconded, the question thereupon shall be proposed to the Council by the President.

Motions not
seconded.

89. Any motion not seconded may not be further debated, and no entry thereof shall be made in the Minutes of Proceedings.

Motion
may be
withdrawn.

90. A Member who has made a motion may withdraw the same by leave of the Council.

Question,
how
superseded.

*91. A question may be superseded: (1) By the adjournment of the Council, either on the motion of a Member "That the Council do now adjourn," or on notice being taken and it appearing that a quorum of Members is not present; (2) By a motion "That the Orders of the Day be now read"; (3) By the Previous Question, viz.: "That this question be not now put," being proposed and resolved in the affirmative.

Previous
Question
if resolved
in the
negative.

*92. If the question "That this question be not now put" be resolved in the negative the original question shall be put forthwith, without any amendment or debate.†

Previous
Question,
&c., super-
seded by
adjourn-
ment.

*93. The question "That the Orders of the Day be now read" and also the question "That this question be not now put" may

* Approved 28th September, 1926.

† NOTE.—If the question "That this question be not now put" be resolved in the affirmative, the original question is superseded, the Motion or Bill under discussion drops off the Notice-paper (see S.O. 76), and the Council passes on to the next business.

be superseded by the adjournment of the Council upon motion to that effect being carried or for the want of a quorum.

94. The debate upon a question may be interrupted: (1) By a Message from His Excellency the Governor; (2) By a matter of privilege suddenly arising; (3) By words of heat between Members; (4) By a question of order; (5) By a Message from the Assembly; (6) By a motion for reading an Act of Parliament, an entry in the Journal, or other public document, relevant to the question before the Council.

Debate, how interrupted.

95. The Council may order a complicated question to be divided.

Question may be divided.

96. So soon as the debate upon a question is concluded, the President shall put the question to the Council, and if the same be not heard shall again state it to the Council.

Question put and again stated.

97. A question, being put, shall be resolved in the affirmative or negative by the majority of voices "Aye" or "No."

Questions determined by majority of voices.

98. The President shall state whether, in his opinion, the "Ayes" or the "Noes" have it; and, unless his opinion be acquiesced in by the minority, the question shall be determined by a division.

President states whether "Ayes" or "Noes" have it.

99. No question shall be proposed in the Council which is the same in substance as any question which, during the same Session, has been resolved in the affirmative or negative.

The same question not to be again proposed.

Motion
withdrawn
may be made
again.

100. A motion which has been by leave of the Council withdrawn may be made again during the same Session.

Resolution or
vote may be
rescinded.

101. A resolution or other vote of the Council may be read and rescinded.

Order
may be
discharged.

102. An order of the Council may be read and discharged.

CHAPTER VIII.

AMENDMENTS.

How ques-
tion may be
amended.

103. A question having been proposed may be amended : (1) By leaving out certain words only ; (2) By leaving out certain words in order to insert or add other words ; or (3) By inserting or adding words.

Amend-
ments to be
seconded.

104. An amendment proposed, but not seconded, shall not be entertained by the Council, nor entered in the Minutes of Proceedings.

Amendment
to leave out
words.

105. When the proposed amendment is to leave out certain words, the President shall put a question "That the words proposed to be omitted stand part of the question," which shall be resolved by the Council in the affirmative or negative, as the case may be.

Amendment
to leave out
words and
insert or add
other words.

106. When the proposed amendment is to leave out certain words in order to insert or add other words, the President shall put a question "That the words proposed to be omitted stand part of the question," which, if resolved in the affirmative, will dispose of the amendment ; but if resolved in the negative and there is no motion

before the Council for amending the proposed amendment, another question shall be put, "That the words (*of the amendment*) proposed to be inserted [*or added*] in the place of the words omitted be so inserted [*or added*]," which shall be resolved in the affirmative or negative, as the case may be.

107. When the proposed amendment is to insert or add certain words, the President shall put a question "That such words be inserted [*or added*]," which shall be resolved in the affirmative or negative, as the case may be.

Amendment
to insert or
add words.

108. No amendment shall be proposed in any part of a question after a later part has been amended, or has been proposed to be amended, unless (in the latter case) the proposed amendment has been by leave of the Council withdrawn.

When later
part
amended
or proposed
to be
amended.

109. No amendment shall be proposed to be made to any words which the Council has resolved shall stand part of a question, except the addition of other words thereto.

No amend-
ment to
words al-
ready agreed
to.

110. A proposed amendment may be by leave of the Council withdrawn.

Proposed
amendment
withdrawn.

111. When an amendment has been proposed from the Chair, amendments may be moved thereto, as if such proposed amendment were an original question.

Amend-
ments to
proposed
amendments.

112. When amendments have been made, the main question as amended shall be put.

Question as
amended
put.

113. When amendments have been proposed, but not made, the question shall be put as originally proposed.

If proposed
amend-
ments not
made.

CHAPTER IX.

DEBATE.

Order maintained by President.

114. The President shall maintain order in the Council.

When the President rises Members to be silent.

115. Whenever the President rises during a debate, any Member then speaking, or offering to speak, shall sit down, and the Members shall be silent, so that the President may be heard without interruption.

Indulgence to Members unable to stand.

116. By the special indulgence of the Council a Member unable conveniently to stand, by reason of sickness or infirmity, may be permitted to speak sitting.

No Member to speak after question put.

117. No Member may speak to any question after the same has been put by the President and the voices have been given both in the affirmative and in the negative thereon.

President calls upon Members to speak. Motion that a Member "be now heard."

118. When two or more Members rise to speak the President calls upon that Member first observed by him; but a motion may be made, That any Member who has risen "be now heard" or "do now speak."

Member moving adjournment of debate.

119. A Member moving or seconding the adjournment of the debate on any question shall, whether the adjournment be carried or not, be entitled to speak again on the main question, provided he has not discussed that question in moving or seconding the motion for adjournment.

Personal explanation.

120. By the indulgence of the Council a Member may explain matters of a personal nature, although there be no question before the Council; but such matters may not be debated.

121. No Member may speak twice to a question before the Council, except in explanation or reply. No Member to speak twice to a question ;

122. A Member who has spoken to a question before the Council may again be heard, to explain himself in regard to some material part of his speech, but shall not introduce any new matter. except in explanation ;

123. A reply shall be allowed to a Member who has made a substantive motion to the Council, but not to any Member who has moved an Order of the Day, an amendment, an instruction to a Committee, or the previous question. or to reply in certain cases.

124. A Member who seconds a motion or amendment before the Council without speaking to it may address the Council on the subject of such motion or amendment at any subsequent period of the debate. Member seconding *pro forma* may reserve his speech.

125. A Member while speaking to a question may move the adjournment of the debate. Member speaking may move adjournment of debate.

126. Any Member may rise to speak "to order" or upon a matter of privilege suddenly arising. Speaking "to order," &c.

127. No Member shall allude to any debate of the same Session, upon a question or Bill not being then under discussion, except by the indulgence of the Council for personal explanations. Debates of same Session not to be alluded to.

128. No Member shall allude to any debate in the Assembly in the same Session. Allusion to debates in the other House.

Reflections
upon votes of
the Council.

129. No Member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded.

Offensive
words
against
either House
or any
Statute.

130. No Member shall use offensive words against either House of Parliament ; nor against any Statute unless for the purpose of moving for its repeal.

Offensive
words
against a
Member.

131. No Member shall use offensive or unbecoming words in reference to any other Member.

Debate, how
to be con-
ducted.

132. No Member shall digress from the subject-matter of the question under discussion, nor comment upon any expressions said to have been used in the Assembly in the same Session ; and all imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

Irrelevance
or tedious
repetition.

133. Any Member may, either in the Council or in Committee of the whole Council, call attention to continued irrelevance or tedious repetition on the part of a Member addressing the Chair, and the President or the Chairman, as the case may be, may direct such Member to discontinue his speech.

Closure of
debate.

*133A. After any question has been proposed either in the Council or in a Committee of the whole Council, a motion may be made by any Member rising in his place and without notice and whether any other Member is addressing the Chair or not

"That the question be now put" and, if six other Members thereupon rise in their places as indicating approval of the motion, the question on such motion shall be put forthwith and decided without amendment or debate, and no other motion shall be made or question of Order raised until such motion has been disposed of.

134. Whenever any Member makes use of any expression personal and disorderly, or capable of being applied offensively to any other Member, the President shall, either of his own motion or upon his attention being thereto called, require the Member so offending to withdraw the expression and to make a satisfactory apology to the Council.

Personal and disorderly reflections.

135. When any Member objects to words used in debate, and desires them to be taken down, the President, if it appear to him to be the pleasure of the Council, shall direct the Clerk to take them down accordingly.

Words taken down by direction of President.

136. Every such objection shall be taken at the time when such words are used.

Words to be objected to when used.

137. Any Member using objectionable words, and not explaining or retracting the same, and any Member behaving offensively to the Council or any Member thereof and not offering an apology for the same, to the satisfaction of the Council, shall be censured, or otherwise dealt with as the Council may think fit.

Members not explaining or retracting, or not offering an apology.

Member
called to
order.

138. A Member called to order shall sit down, unless permitted to explain.

Council will
prevent
quarrels.

139. The Council will interfere to prevent the prosecution of any quarrel between Members arising out of debates or proceedings of the Council or any Committee thereof.

No interrup-
tion or
disturbance
allowed.

140. No Member shall wilfully interrupt or make a disturbance during the business of the Council.

Member
named by
President, or
reported by
Chairman,
may be
suspended.

141. If any Member be named by the President, or reported by the Chairman of Committees, for—

- (a) wilfully interrupting or making a disturbance during the business of the Council or a Committee of the whole Council; or
- (b) disorderly conduct; or
- (c) using objectionable words and refusing to withdraw the same or behaving offensively and refusing to make a satisfactory apology; or
- (d) wilfully and persistently refusing to conform to the Standing Orders; or
- (e) wilfully disregarding the authority of the Chair—

such Member shall be called upon to make any explanation or apology he thinks fit, and a motion may be moved forthwith (no amendment, adjournment, or debate being allowed) "That such Member be suspended from the service of

the Council during the remainder of the sitting (or for such period as the Council may think fit)." Any Member suspended under this Standing Order shall immediately withdraw and shall not come within the precincts of the House during the period of his suspension unless, on receipt of a satisfactory apology in writing, the Council resolve, on motion made without notice and determined without amendment or debate, to discharge the order of suspension. Nothing herein shall be taken to deprive the Council of the power of proceeding against any Member according to ancient usages.

142. If any person disobey an order of the Council, or if any person other than a Member wilfully interrupt the business of the Council, he may be declared guilty of contempt. When Members and others guilty of contempt.

143. Every Member or other person declared guilty of contempt shall be committed to the custody of the Usher by warrant signed by the President. Commitment of Member or other person in contempt.

(Approved 29th November, 1966.)

144. The following scale of fees shall be payable to the Usher on the arrest or commitment of any person, and no person shall, without the express direction of the Council, be discharged out of custody until such fees be paid or the Session of Parliament concluded:— Scale of fees payable on arrest or commitment.

	\$
For arrest	100.00
For commitment	100.00
For each day's detention, including sustenance ..	10.50

All fees collected by the Usher under this Standing Order shall forthwith be paid into the Treasury for the public uses of the State.

CHAPTER X.

DIVISIONS.

No Member
to vote un-
less present
when the
question put.

145. No Member shall be entitled to vote in any division unless he be present in the Chamber when the question is put with the doors locked, and the vote of any Member not so present will be disallowed.

Every Mem-
ber then pre-
sent must
vote.

146. Every Member present in the Chamber when the question is put with the doors locked shall be required to vote.

Clerk to ring
bell and turn
sandglass.

147. So soon as a division has been demanded, the Clerk shall ring the bell and turn a two-minute sandglass, kept on the Table for that purpose, and the doors shall not be closed until after the lapse of two minutes as indicated by such sandglass.

Doors locked
after the
lapse of two
minutes.

148. At the expiration of such two minutes the doors shall be closed and locked, and no Member shall enter or leave the Council until after the result of the division has been declared.

Question
put, and
"Ayes" and
"Noes" to
take different
sides of the
Chamber.

149. When the doors have been locked and all the Members are in their places, the President shall put the question, and shall direct the "Ayes" to the right side of the Chamber, and the "Noes" to the left side of the Chamber, and shall appoint two Tellers for the "Ayes" and two Tellers for the "Noes."

Tellers
appointed.

Tellers report
the numbers.

150. The Tellers shall report the numbers to the President, who shall declare them to the Council.

151. An entry of the Division Lists shall be made by the Clerk in the Minutes of the Proceedings.

Division Lists to be recorded.

152. In case of confusion, or error concerning the numbers reported, unless the same can be otherwise corrected, the Council shall proceed to a second division.

In case of confusion or error, Council again divides.

153. If the numbers have been inaccurately reported to the Council, the Council on being afterwards informed thereof shall order the Minutes of Proceedings to be corrected.

Errors corrected in Minutes of Proceedings.

154. When, in case of an equality of votes, the President gives a casting vote, any reasons stated by him shall be entered in the Minutes of Proceedings.

When casting vote given, reasons recorded.

155. No Member shall be entitled to vote either in the Council or in any Committee thereof upon any question in which he has a direct pecuniary interest, and the vote of any Member so interested shall be disallowed.

No Member personally interested to vote.

156. While the Council or a Committee of the whole Council is dividing, a Member can only speak to a point of order by permission of the President or Chairman.

Point of order when dividing.

CHAPTER XI.

COMMITTEES OF THE WHOLE COUNCIL.

157. A Committee of the whole Council shall be appointed by the following resolution:—
“That this Council do now [*or will on some future day*] resolve itself into a Committee of the whole Council.”

Council resolves itself into a Committee.

Quorum of
Committee
of the whole.

158. The same number of Members shall be required to form a quorum in Committee of the whole Council as are required to form a quorum of the Council.

Chairman of
Committees.

159. A Member shall be appointed Chairman of Committees of the whole Council, and when so appointed he shall continue to act as Chairman until the next periodical election of Members of the Council or, in the event of a dissolution of the Council, until the date of such dissolution.

Temporary
Chairmen.

160. At the commencement of every Session the President shall nominate a panel of not less than two Members, who may act as temporary chairmen of Committees whenever requested to do so by the Chairman of Committees or whenever the Chairman of Committees is absent.

If Chairman
and
Temporary
Chairmen
absent.

161. If when the Council resolves itself into a Committee of the whole the Chairman of Committees and the Temporary Chairmen be absent, the Committee may call some other Member then present to take the Chair of the Committee.

Order in
Committee
to be main-
tained by
Chairman.

162. The Chairman of Committees shall maintain order in a Committee of the whole Council, but disorder in a Committee can be censured only by the Council on receiving a report thereof.

If motion to
report
progress an
abuse of
the rules.

163. If the Chairman be of opinion that a motion "That the Chairman do report progress" [*or* "do leave the Chair"] is an abuse of the rules of the Council he may forthwith put the question thereupon from the Chair.

164. In a Committee of the whole Council, the Chairman, if it appear to him to be the pleasure of the Committee, shall direct the Clerk to take down any words used in debate to which objection has been made, in order that the same may be reported to the Council.

Words of heat.

165. Every such objection shall be taken at the time when such words are used.

Words to be objected to when used.

166. A Committee of the whole Council shall consider such matters only as have been referred to them by the Council.

A Committee to consider only such matters as are referred.

167. Every question in Committee of the whole Council shall be decided by a majority of voices.

Questions decided by a majority of voices.

168. Divisions shall be demanded and taken in Committee of the whole Council in the same manner as in the Council itself, and in case of an equality of votes the Chairman shall give a casting vote.

Divisions in Committee.

169. A motion made in Committee of the whole Council need not be seconded.

Motions not seconded.

170. In Committee of the whole Council no amendment shall be proposed in any part of a clause of a Bill or Question after a later part has been amended, or has been proposed to be amended, unless (in the latter case) the proposed amendment has been by leave of the Committee withdrawn.

When later part amended or proposed to be amended.

*171. No motion "That this question be not now put" shall be made in Committee of the whole Council.

Previous Question not allowed in Committee.

* Approved 28th September, 1926.

Members
may speak
more than
once.

172. In Committee of the whole Council Members may speak more than once to the same question.

Order in
debate.

173. The same order in debate shall otherwise be observed in Committee of the whole Council as in the Council itself.

Disorder
arising.

174. If any sudden disorder arise in Committee of the whole Council, the President may resume the Chair without any question being put.

Personal or
disorderly
reflections
in Com-
mittee.

175. Any Member using objectionable words in Committee of the whole Council and not explaining or retracting the same, and any Member behaving offensively to the Committee or any Member thereof and not offering an apology for the same, to the satisfaction of the Committee, shall have his conduct reported to the Council by the Chairman, who shall suspend the proceedings of the Committee.

If want of a
quorum be
noticed.

176. If notice be taken in Committee of the whole Council that a quorum of Members is not present, the bells shall be rung as for a division, and if, at the expiration of two minutes, or on a division, it appear that a quorum of Members is not present, the Chairman shall leave the Chair, and the President shall resume the Chair.

Council
counted by
the Presi-
dent.

177. If a quorum of Members be present when the Council is counted by the President, the Council shall again resolve itself into the Committee of the whole Council without question put.

178. A motion may be made during the proceedings of a Committee of the whole Council "That the Chairman do report progress and ask leave to sit again."

Motion to
report pro-
gress.

179. When all matters referred to a Committee of the whole Council have been considered, the Chairman shall be directed to report the same to the Council.

Report.

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

Report of
progress.

181. A resolution "That the Chairman do now leave the Chair" shall supersede the proceedings of a Committee.

Motion for
Chairman to
leave the
Chair.

182. Every Report from a Committee of the whole Council shall be brought up without any question being put.

Report
brought up
without
question.

183. Every Report from a Committee of the whole Council may be adopted or not adopted by the Council, or recommitted to the Committee, or the further consideration thereof postponed.

Report
of Com-
mittee, how
dealt with.

184. Lists of divisions in Committee of the whole Council shall be printed weekly, and when the Chairman shall on an equality of votes in a division give a casting vote any reason stated by him shall be entered on the printed Lists of Divisions.

Division
Lists.

CHAPTER XII.

SELECT COMMITTEES.

Number of
Members
requisite.

185. A Select Committee shall consist of not less than five nor, without leave of the Council, more than ten Members.

President or
Chairman
need not
serve.

186. It shall not be compulsory on the President or Chairman of Committees to serve on any Select Committee.

Quorum of
Committee.

187. The quorum of every Select Committee shall be fixed at the time of appointing such Committee.

Notice of
nomination
to be given.

188. Every Member intending to move for the appointment of a Select Committee shall, one day at least preceding the nomination of such Committee, place on the Notice-paper the names of the Members intended to be proposed by him to be Members of such Committee; but if the mover be desirous that the Committee be appointed by ballot, then the number only need be stated.

Except when
appointed by
ballot.

Manner of
balloting for
Committee.

189. If upon any motion for a Select Committee any six Members require it, such Committee shall be formed in the following manner, viz. :—Each Member shall deliver at the Clerk's table a list of the Members whom he wishes to be appointed on such Committee, equal in number to the number proposed, inclusive of the mover; if any list contain a greater or lesser number of names it shall be rejected; and the President shall appoint two Members to be scrutineers, who, with the Clerk, shall ascertain the number of votes for each Member; the Members who shall be reported to have the greatest number of votes shall be declared by the President

to be the Members of such Committee; in any case of doubt arising from two or more Members having an equality of votes the President shall decide which shall serve on such Committee.

190. Before the Council proceed to ballot for a Committee the bells shall be rung as for a division.

Bells rung
before
ballot.

191. Every Select Committee, previous to the commencement of business, shall elect one of its Members to be the Chairman; but if the Chairman be absent from any meeting the Members present may appoint any one of their number to be Chairman for that sitting.

Chairman to
be elected.

192. To every question asked of a witness under examination in the proceedings of any Select Committee shall be prefixed in the minutes of the evidence the name of the Member asking such question.

Names of
Members
asking ques-
tions to be
entered in
the minutes
of evidence.

193. An entry shall be made in the Proceedings of the names of the Members attending each Select Committee meeting, and of every motion or amendment proposed in such Committee together with the name of the mover thereof.

Names of
Members
present to be
entered.

194. If any division take place in a Select Committee the Clerk of the Committee shall take down the names of the Members voting in any such division, distinguishing on which side of the question they respectively vote, and such lists shall be given in with the Report to the Council.

Divisions to
be entered.

195. If there be not a quorum of Members present within half an hour after the time fixed for the meeting of any Select Committee, the

If quorum
not formed,
meeting
adjourned.

Member or Members present may adjourn the meeting of the Committee to a future day.

When quorum not present during sitting of Committee.

196. If at any time during the sitting of a Select Committee of the Council the quorum of Members fixed by the Council be not present, the Clerk of the Committee shall call the attention of the Chairman to the fact, who shall thereupon suspend the proceedings of the Committee until a quorum is present, or adjourn the Committee to some future day.

Members discharged and added.

197. Members may be discharged from attending a Select Committee, and other Members appointed or added, by resolution of the Council.

Power to send for persons, papers, and records.

198. Whenever it thinks fit, the Council may give a Select Committee power to send for persons, papers, and records.

Admission of strangers to Committees.

199. When a Select Committee is examining witnesses, strangers may be admitted or excluded at pleasure ; but shall always be excluded when the Committee is deliberating.

When Members of the Council may be present.

200. Members of the Council, not being of the Committee, may be present when a Committee is examining witnesses ; but shall withdraw when the Committee is deliberating.

Secret Committee.

201. No strangers, or Members, not being of the Committee, shall be admitted at any time to a Secret Committee.

Questions decided by majority.

202. In a Select Committee all questions shall be decided by a majority of voices.

Chairman can vote only when voices equal.

203. The Chairman of a Select Committee can vote only when there is an equality of voices.

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

205. All Select Committees sitting at the time that the President is about to take the Chair shall be informed by the Usher that the President is about to take the Chair, and all proceedings after such notice shall be null and void, unless such Committees be otherwise empowered to sit. Proceedings void after notice that President is to take Chair.

206. All Select Committees may meet, if they so desire, on days on which the Council does not sit, unless the Council shall otherwise direct. May meet when Council not sitting.

207. The evidence taken by any Select Committee, and documents which have been presented to such Committee, but have not been reported to the Council, shall not be published by any Member of such Committee, nor by any other person. Evidence, &c., not to be published before reported.

208. All Select Committees may, if they so desire, have power to report their opinions, observations, minutes of evidence, or proceedings from time to time, unless the Council shall otherwise direct. Report from time to time.

209. It shall be the duty of the Chairman of every Select Committee to prepare the Report. Chairman to prepare Report.

210. The Draft Report so prepared shall, if necessary, be printed and circulated amongst the Members of the Committee; and shall be read paragraph by paragraph to the Select Committee, convened for the purpose of considering it, and a question put to the Committee at the end of each paragraph "That it do stand Proceedings on consideration of Draft Report.

part of the Report." A Member objecting to any portion of the Report shall propose his amendment at the time the paragraph he wishes to amend is under consideration.

Report
brought up.

211. The Report of a Select Committee shall be brought up by the Chairman, and may be ordered to lie upon the Table, or otherwise dealt with, as the Council may direct.

Proceedings
when Report
presented to
the Council.

212. Upon the presentation of a Report no discussion shall take place unless by leave of the Council, but the Report may be ordered to be printed with the documents accompanying it, and an order made for its being taken into consideration on a future day.

CHAPTER XIII.

INSTRUCTIONS TO COMMITTEES.

Effect of an
instruction.

213. An instruction empowers a Committee of the whole Council to consider matters not otherwise referred to them.

What in-
structions
may not be
moved.

214. No instruction may be moved to order a Committee to make provision in a Bill; nor to empower a Committee to make provision if they already have that power.

When in-
structions to
be moved.

215. Notice shall be required of an instruction, and the time for moving an instruction to a Committee of the whole is when the Council is about to first resolve itself into such Committee, before the President leaves the Chair.

Instruction
to a Select
Committee.

216. An instruction to a Select Committee extends or restricts the order of reference.

CHAPTER XIV.

WITNESSES.*

217. Witnesses shall be summoned in order to be examined at the Bar of the Council, or before a Committee of the whole Council or a Select Committee, by orders of the Council, signed by the Clerk.

Witnesses
summoned
by orders of
the Council.

218. If the Council desire the attendance of a witness who is in the custody of any person, such person may be ordered to bring the witness in safe custody from time to time as often as his attendance is required ; and the President may issue his warrant accordingly.

Witness
in custody.

219. A Committee having power to send for persons, papers, and records may summon witnesses by its own order, signed by the Clerk.

Committee
with power
may
summon
witnesses.

220. If any witness do not attend, pursuant to the order of a Committee, his absence shall be reported, and the Council may order him to attend the Council ; but such order may be discharged in case the witness shall have attended the Committee before the time appointed for his attending the Council.

If witness
does not
attend a
Committee.

221. A witness not attending in obedience to an order of the Council or of a Committee having power to summon witnesses, or in obedience to a warrant of the President, may be censured or declared guilty of contempt.

Neglect or
refusal to
attend.

* Witnesses before the Council or any Committee thereof may be sworn. (See Act No. 3660 s. 410.)

Attendance
of a Member
desired by
Council, &c.;

222. If the Council or a Committee of the whole Council desire the attendance of a Member as a witness, he shall be ordered to attend in his place.

by a Select
Committee

223. If a Select Committee desire the attendance of a Member as a witness, the Chairman shall in writing request him to attend.

If a Member
refuse to
attend.

224. If any Member of the Council refuse, upon being sent for, to attend, or, when in attendance, to give evidence as a witness to a Select Committee, the Committee shall acquaint the Council therewith.

Committee
to acquaint
Council of
charges
against
Members.

225. If any information that charges any Member of the Council come before any Committee, the Committee shall direct that the Council be acquainted with the matter of such information, without proceeding further thereupon.

When
attendance
of Assembly
Member or
Officer
desired.

226. If the Council, or any Committee thereof (not being a Committee on a private Bill), desire the attendance of a Member or Officer of the Assembly as a witness, a Message shall be sent to the Assembly requesting that leave be given, to such Member or Officer to attend to give evidence upon the matters stated in such Message.

Tampering
with wit-
nesses.

227. If it appear that any person has been tampering with any witness in respect of his evidence to be given before the Council or any Committee thereof, or directly or indirectly endeavouring to deter or hinder any person from appearing or giving evidence, or that any

person has given false evidence in any case before the Council or any Committee thereof, every such person may be declared guilty of contempt.

False evidence.

228. All witnesses examined before the Council or any Committee thereof shall be entitled to the protection of the Council in respect of anything that may be said by them in their evidence.

Witnesses entitled to protection.

229. No Clerk or Officer of the Council, or Shorthand Writer employed to take minutes of evidence before the Council or before any Committee thereof, may give evidence elsewhere in respect of any proceedings or examination had at the Bar or before any Committee of the Council, without the special leave of the Council.

Evidence of proceedings not to be given elsewhere without leave.

230. When a witness appears before the Council, the President shall examine the witness; and no other Member shall put any question otherwise than through the President.

Witnesses examined by President in Council.

231. When a witness is in custody at the Bar, he shall be examined by the President only.

Witness in custody at the Bar.

232. If any question be objected to, or other matter arise, the witness shall withdraw from the Chamber while the same is under discussion.

Witness withdraws if question objected to.

233. A Member of the Council shall be examined in his place.

Member examined in his place.

234. In Committee of the whole Council any Member may put questions to the witness.

Witnesses examined in Committee.

CHAPTER XV.

MESSAGES FROM AND ADDRESSES TO HIS
EXCELLENCY THE GOVERNOR.

Messages,
how com-
municated.

235. A Message, signed by His Excellency the Governor, may be brought to the Council by a Minister of the Crown, being a Member, who shall present it to the President.

To be read
to Council
imme-
diately.

236. The President shall immediately read the Message to the Council and, if necessary, a day shall be fixed for taking the same into consideration.

Verbal Mes-
sage may be
communi-
cated by
Minister.

237. A verbal Message from His Excellency the Governor may be communicated to the Council by a Minister of the Crown, being a Member.

Addresses,
how pre-
sented.

238. Addresses to His Excellency the Governor may be presented by the whole Council, by the President, or by such Members as the Council may name for that purpose.

When
presented
by the whole
Council.

239. When an Address is ordered to be presented by the whole Council, the President, with the Members, on being admitted to His Excellency the Governor's presence, shall read the Address to His Excellency, the Members who moved and seconded such Address being on his left hand.

Presenta-
tion of Joint
Address.

240. When it is ordered that an Address in which the Assembly joins the Council be presented by the whole Council, such Address shall

be presented by the President and such Members as may be named by the Council, together with the Speaker and the Members appointed by the Assembly.

241. His Excellency the Governor's answer to any Address presented by the whole Council shall be reported to the Council by the President.

Governor's answer to Address presented by the whole Council :

242. His Excellency the Governor's answer to any Address presented otherwise than by the President shall be reported to the Council by the Member or one of the Members presenting the same.

to Address presented otherwise than by the whole Council.

243. Unless it be otherwise ordered by the Council, all Addresses to His Excellency the Governor shall be forwarded by the Clerk of the Council.

If no order made as to presentation.

244. The concurrence of the Council in an Address communicated by the Assembly shall be signified by Message.

Concurrence with other House to be signified by Message.

CHAPTER XVI.

PETITIONS.

245. No petition shall be presented after the Council has proceeded to the Orders of the Day.

Time for presenting petitions.

246. Petitions can be presented to the Council by a Member only, and no Member can present a petition from himself.

May be presented by Members only.

Petitions to
be in English
and to be
respectful.

247. Every petition shall be in the English language, and shall be respectful, decorous, and temperate in its language.

Contents of
petitions.

248. Every Member presenting a petition shall acquaint himself with the contents thereof, and ascertain that it does not contain language disrespectful to either House of Parliament or violate any of the Standing Orders of the Council, and shall affix his name at the beginning of the petition.

Petitions
may be
written or
printed.

249. Every petition shall be fairly written or printed, or partly written and partly printed.

To contain a
prayer at the
end.

250. Every petition must contain a prayer at the end thereof.

To be signed
on the last
page.

251. Every petition must be signed by at least one person on the last page thereof.

To be signed
by the par-
ties.

252. Every petition shall be signed by the parties whose names are appended thereto, with their names or marks, and by no one else on their behalf, except in case of incapacity by sickness.

Signatures
not to be
transferred.

253. The signatures shall be written upon the petition itself or upon sheets attached thereto, but no individual or single signature shall be pasted upon, or otherwise transferred thereto.

Petitions of
corpora-
tions.

254. Petitions of corporations shall be made under their common seal.

Forgery of
signatures.

255. If any person forge the name of any other person to any petition to the Council or affix thereto any fictitious name, he may be declared guilty of contempt.

256. No letters, affidavits, or other documents may be attached to any petition. No letters, &c., to be attached.

257. No reference shall be made in a petition to any debate in Parliament. Debates not to be referred to.

258. Every Member offering to present a petition to the Council, not being a petition for a private Bill, or relating to a private Bill before the Council, shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it, and of the material allegations contained in it, and to the reading of the prayer of such petition. Members confined to statement of facts in petition.

259. Every such petition not containing matter in breach of the privileges of the Council, and which according to the rules or usual practice of the Council can be received, shall be handed to the Clerk at the Table, and the President shall not allow any debate upon or in relation to such petition ; but it may be read by the Clerk if required. Not to be debated, but may be read by the Clerk.

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

261. No petition the prayer of which is for a distinct grant of money shall be received by the Council. Petition for grant of money cannot be received.

CHAPTER XVII.

BILLS.

Bills, how
initiated.

262. Every Bill (except Bills brought from the Assembly) shall be brought in upon motion made and question put "That leave be given to bring in such Bill."

Bill to be
presented
by a
Member.

263. A Bill shall be presented by the Member who has obtained leave to bring in the same, and immediately after its presentation its first reading shall be proposed.

First reading
and printing
without de-
bate.

264. When any Bill is presented by a Member, or is brought up from the Assembly, the questions "That this Bill be now read a first time" and "That the Bill be printed" shall be decided without amendment or debate.

Day fixed
for second
reading.

265. When a Bill has been read a first time, its second reading shall be made an Order of the Day for a future day.

Second read-
ing.

266. On the Order of the Day being read for the second reading of a Bill, the question shall be put "That the Bill be now read a second time."

Amendments
to question
for second
reading.

267. Amendments may be moved to such question by leaving out "now," and inserting any other time; or that the Bill be laid aside or be rejected.

Amendments
to be rele-
vant.

268. No other amendment may be moved to such question, unless the same be strictly relevant to the Bill.

269. A Bill, having been read a second time, may be ordered to be committed to a Committee of the whole Council or to a Select Committee.

Bill committed.

270. On the Order of the Day being read for the Committee on a Bill, the President shall put the question "That I do now leave the Chair;" which being resolved in the affirmative, the Council resolves itself into a Committee of the whole Council on the Bill.

Committee of the whole Council on the Bill.

271. On the Order of the Day being read for the further consideration in Committee of a Bill on which progress has been reported, the President shall leave the Chair without putting any question.

When progress has been reported.

272. An amendment may be moved to the question "That the President do now leave the Chair" by leaving out all the words after the word "That" in order to add the words "this Council will, on (*some future day*), resolve itself into the said Committee."

Amendments to the question for the President to leave the Chair.

273. In Committee on a Bill the preamble shall stand postponed until after the consideration of the rest of the Bill without question put.

Preamble postponed.

274. Any amendment may be made to a clause, provided the same be relevant to the subject-matter of the Bill or pursuant to an instruction, and be otherwise in conformity with the rules and orders of the Council; but if any such amendment be not within the title of the Bill, the Committee shall extend the title accordingly, and report the same specially to the Council.

Amendment must be relevant, &c.

Each clause
to be put.

275. A question shall be put "That each clause stand part of the Bill" or "That each clause, as amended, stand part of the Bill" or "That certain clauses stand part of the Bill."

When clause
may be
discussed.

276. When the Chairman has called out the number of a clause, and the marginal note or the clause has been read, such clause shall be open for discussion and amendment, and when the debate has terminated the Chairman shall put the question "That the clause [*or* the clause as amended] stand part of the Bill."

Clause may
be post-
poned.

277. Any clause may be postponed, although the same has already been amended.

When new
clauses to be
proposed.

278. New clauses relevant to the subject-matter of the Bill, or pursuant to any instruction, shall be proposed after the clauses in the Bill have been considered and before the schedules, if any, are proposed, unless the Committee otherwise direct.

Preamble
to be put.

279. After every clause and schedule has been agreed to, the preamble shall be considered and, if necessary, amended; and a question shall be put "That the preamble, or the preamble as amended (as the case may be), stand part of the Bill."

Proceedings
in Committee
not to be
noticed until
reported.

280. No notice may be taken of any proceedings of a Committee of the whole Council, or of a Select Committee on a Bill, until such proceedings or Bill have been reported.

Bill to be
reported.

281. When the Bill has been fully considered, the Chairman shall be directed to report the Bill, with or without amendment, to the Council.

282. At the close of the proceedings of a Committee of the whole Council on a Bill, the Chairman shall report the Bill forthwith to the Council, and a time shall be appointed for taking such Report into consideration.

Time fixed for consideration of Report.

283. A Bill reported without amendment may be ordered to be read a third time at such time as may be appointed by the Council.

If reported without amendment.

284. After a Bill has been reported to the Council such Bill, or any specified clause or clauses thereof, may be ordered to be recommitted to a Committee of the whole, either upon the same or upon any future day, or the Bill may be ordered to be committed to a Select Committee.

Bill may be re-committed.

285. The Order of the Day for the third reading of a Bill may be read and discharged, and the Bill, or any specified clause or clauses thereof, ordered to be recommitted to a Committee of the whole, or the Bill may be ordered to be committed to a Select Committee.

Order for third reading discharged.

286. On the Order of the Day being read for the third reading of a Bill, the question shall be put "That the Bill be now read a third time," to which amendments may be moved as on the second reading.

Third reading.

287. After a Bill has been read a third time, verbal or consequential amendments, and none other, may be made.

Verbal or consequential amendments made.

288. The further proceedings on a third reading may be adjourned to a future day.

Further proceedings on third reading adjourned.

Bill passed
and title
agreed to.

289. After the third reading, and further proceedings thereon, the question shall be put "That this Bill do pass"; after which the title of the Bill shall be agreed to, or amended and agreed to.

Urgent Bills.

290. Bills of an urgent nature may be passed with unusual expedition through their several stages.

Bill sent to
Assembly.

291. When a Bill originated in the Council has been agreed to, such Bill shall be ordered to be transmitted to the Assembly and their concurrence desired.

Assembly
amend-
ments,
how dealt
with.

292. When a Bill is returned from the Assembly with any clause or portion of a clause struck out, or with any other amendments, such amendments shall be read and agreed to, or agreed to with amendments, or disagreed with, or disagreed with but an amendment or amendments made, or the further consideration thereof put off to some future day, or the Bill ordered to be laid aside or rejected.

When to be
considered.

293. Amendments by the Assembly to Bills originated in the Council shall be appointed to be considered on a future day unless the Council order them to be considered forthwith.

Assembly
Bill
returned
with amend-
ments.

294. When a Bill originated in the Assembly has been agreed to by the Council with amendments, such Bill with the amendments attached thereto shall be returned to the Assembly and their concurrence desired in such amendments.

295. When a Bill originated in the Assembly has been agreed to by the Council without amendment, a Message shall be transmitted to the Assembly acquainting them therewith.

Assembly
Bill agreed
to without
amendment.

296. Whenever His Excellency the Governor desires any amendment to be made in a Bill originated in the Council and presented to him for His Majesty's assent, and transmits such amendment by Message to the Council, the amendment shall be agreed to or not agreed to by the Council, but no amendment shall be proposed therein.

Amendment
proposed by
Governor,
how dealt
with.

297. When the Council have agreed to any amendment desired by His Excellency the Governor as aforesaid, such amendment shall be transmitted by Message to the Assembly for their concurrence.

Governor's
amendment
when agreed
to is sent to
Assembly.

298. Whenever the Assembly have agreed to any amendment desired by His Excellency the Governor to be made in a Bill originated in the Assembly, and transmit such amendment to the Council, the amendment shall be agreed to or not agreed to by the Council, but no amendment shall be proposed therein.

If
Governor's
amendment
transmitted
by
Assembly.

299. Whenever any Bill for repealing, altering, or varying all or any of the provisions of *The Constitution Act*, and for substituting others in lieu thereof, has passed its second and third readings in the Council with the concurrence of an absolute majority of the whole number of the Members of the Council, the Clerk, or other proper officer of the Council, shall certify the fact on the Bill accordingly.

Bills altering
Constitution
Act, how
certified.

Clerk may
correct
errors.

300. Clerical or typographical errors may be corrected in any part of a Bill by the Clerk after such Bill has been read a third time and passed, and the Clerk shall forthwith inform the Council what errors he has corrected.

CHAPTER XVIII.

ACCOUNTS, PAPERS, AND PRINTING.

Accounts,
&c., ordered.

301. The Council may order that accounts and papers be laid before it and may, if it think fit, direct the same to be printed.

Addresses
for papers.

302. When the Royal prerogative is concerned in any account or paper, an Address shall be presented to His Excellency the Governor praying that the same may be laid before the Council.

Papers pre-
sented by
command or
pursuant to
Statute.

303. Other papers may be presented by command of His Excellency the Governor, or pursuant to Statute.

Printing
Committee
to be ap-
pointed.

304. At the commencement of each Session, a Select Committee shall be appointed to consider and order upon all matters which relate to the printing to be executed by order of the Council, and for the purpose of selecting and arranging for printing returns and papers presented in pursuance of motions made by Members.

Papers pre-
sented by
Members.

305. When any account or paper is presented by a Member, it shall be delivered to the Clerk of the Council.

306. Accounts and other papers which are required to be laid before the Council by any Act of Parliament, or by any order of the Council, may be deposited with the Clerk, and the same shall be laid on the Table, and a list of such accounts and papers read by the Clerk.

Papers to be deposited with the Clerk.

307. Every account and paper not presented pursuant to any Act of Parliament shall be ordered to lie upon the Table.

Accounts and papers ordered to lie on the Table.

CHAPTER XIX.

MISCELLANEOUS.

308. In all cases not herein provided for, resort shall be had to the Rules, Forms, Usages, and Practice of the Commons House of Parliament of Great Britain and Ireland, which shall be followed so far as the same may be applicable to this Council or any Committee thereof and not inconsistent with the foregoing Rules.

When practice of House of Commons to be resorted to.

*309. The foregoing Rules and Orders, or any of them, may at any time be suspended or dispensed with by the Council, but (except by leave of the Council or on the ground of urgency) no motion shall be made to dispense with any such Rule or Order without due notice thereof.

Standing Orders may be suspended.

*309A. When the question of urgency arises in relation to the application of the foregoing Standing Orders numbered 20A, 290, and 309, or any of them, such question shall be decided

Urgency—how decided.

by the Council upon motion without notice or debate other than a statement by the mover of the particulars claimed to establish urgency: Provided that no such motion shall be allowed where the President declares that in his opinion the case could not reasonably be regarded as one of urgency.

Interpreta-
tion of
"Leave of
the Council."

310. In these Standing Orders, the expression "leave of the Council" shall mean the leave of the Council granted without any negative voice.

STANDING ORDERS

RELATING TO

PRIVATE BILLS.

Standing Order No. 311

repealed

14th September, 1977

private
bill-

312. Every private Bill sent up from the Assembly, if accompanied by a printed copy of the Report and Proceedings of the Select Committee of that House to which it has been referred, shall be dealt with in the same manner as a public Bill, and shall not be referred to a Select Committee of the Council, unless the same shall be opposed, and then only by motion on notice to be made before the second reading.

If Proceed-
ings of
Assembly
Select
Committee
sent.

313. Every private Bill sent up from the Assembly, if not accompanied by a printed copy of the Report and Proceedings of a Select Committee of that House—

If Proceed-
ings of
Assembly
Committee
not sent.

(a) may be referred to a Select Committee ;

(b) may be ordered to be dealt with as a public Bill ; or

STANDING ORDERS

RELATING TO

PRIVATE BILLS.

311. Until Special Standing Orders for the initiation of private Bills have been adopted, the Council will not enter on the consideration of any private Bill which has not first been considered by the Assembly and referred by that body for the concurrence of the Council.

How private Bills initiated.

312. Every private Bill sent up from the Assembly, if accompanied by a printed copy of the Report and Proceedings of the Select Committee of that House to which it has been referred, shall be dealt with in the same manner as a public Bill, and shall not be referred to a Select Committee of the Council, unless the same shall be opposed, and then only by motion on notice to be made before the second reading.

If Proceedings of Assembly Select Committee sent.

313. Every private Bill sent up from the Assembly, if not accompanied by a printed copy of the Report and Proceedings of a Select Committee of that House—

If Proceedings of Assembly Committee not sent.

(a) may be referred to a Select Committee ;

(b) may be ordered to be dealt with as a public Bill ; or

(c) may be ordered to be dealt with as a public Bill except in relation to the payment of fees.

Members of
Select Com-
mittee on
private Bills
balloted for.

314. Every Select Committee on private Bills shall consist of five Members, to be chosen by ballot, who shall choose their own Chairman, and of whom three shall form a quorum.

Attendance
of Members
compulsory.

315. Every Member of such Committee of five shall attend the proceedings of the Committee during the whole continuance thereof.

Personal in-
terest a
ground of
exemption.

316. Members shall be exempted from serving on the Committee on any private Bill where they have any interest.

Members
specially
excused.

317. Members may be excused from serving for any special reason, to be approved of in each case by the Council.

Absence of
Member a
ground for
adjourn-
ment

318. If any Member of such Committee is prevented from continuing his attendance, the Committee shall adjourn, and report the cause of such Member absenting himself to the Council, if then sitting, or at its next meeting, and shall not resume its sittings without leave of the Council.

Declaration
to be signed
by Member.

319. Each Member of a Select Committee on a private Bill, before he shall be entitled to attend and vote thereon, shall sign a declaration that he has no personal interest in the Bill, and that he will never vote on any question which may arise in the Committee without having duly heard and attended to the evidence relating thereto.

320. Three clear days' notice shall be given of the meeting of such Committee. Notice to given of meeting.

321. Such Committee shall meet on each consecutive sitting day from eleven o'clock to three o'clock. Time of sitting.

322. Upon petition, praying to be heard on the merits against any Bill, leave may be given to the Select Committee to hear the petitioners in person, by counsel or agents, and to receive such evidence as may be tendered, and the promoter shall be similarly entitled to reply thereto, if he think proper, and to adduce rebutting evidence: Provided always that such petition be presented to the Council before the third day on which the Council shall sit after the day such Bill has been brought by Message from the Assembly: Provided also that it set forth specifically the objections of the petitioners to the said Bill, and be otherwise in strict conformity with the rules of the Council. Petitions against private Bills.

323. The Chairman of every Select Committee shall make a Report to the Council on each several Bill referred for their consideration, and shall annex thereunto the Minutes of the Committee. Chairman to report to the House.

324. No private Bill which has been referred to a Select Committee shall be read a second time sooner than the sixth sitting day after the Report from the Select Committee has been brought up. Private Bills not to be read a second time until six days after Report.

(Approved 29th November, 1966.)

Fee to be
paid to
Treasury
before first
reading.

325. Before any private Bill is read a first time in the Council a sum of 200 dollars shall be paid into the Treasury for the public uses of the State to meet the expenses of such Bill and a certificate of that sum having been paid, to be filed with the Clerk, shall be produced by the Member having charge of the Bill.

Private Bills
pass only
one stage in
one day.

326. No private Bill shall pass through more than one stage on one and the same day.

Presentation
for Royal
Assent, and
publication.

327. Every private Bill which has passed the two Houses of Parliament shall be presented to the Governor for the Royal Assent, and be numbered and published as a public Bill; and the expenses attending such publication shall be ascertained by the Clerk of the Parliaments, and be paid by the promoters of the Bill into the Treasury for the public uses of the State before such Bill is presented for the Royal Assent.

Copies of
plans, &c.,
to be
furnished
before
second
reading.

328. Every promoter of a private Bill shall, at least ten days before the same is set down for the second reading, furnish to the Clerk of the Council attested copies of all plans, sections, books of reference, estimates, and subscription contracts, or declarations in lieu of subscription contracts, laid before the Assembly in pursuance of the Standing Orders of that House, and the Clerk of the Council shall give a receipt for the same in which the several

documents shall be distinctly specified, which receipt the Member having charge of the Bill shall produce to the Council before the Bill is set down for the second reading.

329. Every parliamentary agent and solicitor shall be considered personally responsible to the Council and to the President for any wilful violation of the rules, orders, and practice of Parliament; and for any such violation, or for any other wilful misconduct in prosecuting any proceeding before Parliament, shall be liable to an absolute or temporary prohibition to practise as a parliamentary agent before the Council at the pleasure of the President: Provided that, upon the application of such agent, the President shall state in writing the grounds of such prohibition.

Parliamentary agents, &c., responsible, and may be prohibited from practising.

330. Before the prayer of any Petition to be heard on the merits against any private Bill is granted, the petitioner shall deposit with the President a sum of Fifty pounds, to be disposed of according to the decision of the Committee as hereinafter provided.

Petitioners against private Bills to lodge a sum of money.

331. It shall be competent for the Committee to order the return of the said deposit or of any part thereof to the petitioner, or to order that the same be paid into the Treasury for the public uses of the State, or to direct that it be paid over to the promoters of the Bill provided that the opposition should, in the judgment of the Committee, appear to have been frivolous.

Application of money lodged by petitioners.

JOINT STANDING ORDERS.

(Approved 2nd March, 1893.)

1. All communications between the Legislative Council and the Legislative Assembly shall be by Message. Communications to be by Message.

2. Messages from one House to the other shall be in writing, or partly in writing and partly in print, and shall be communicated by an officer of the Legislative Council or of the Legislative Assembly, as the case may be, unless the House transmitting the Message shall otherwise direct. To be transmitted by an officer of either House unless otherwise ordered.

3. Members carrying any Message from either House to the other shall be announced at once, unless any Member shall be addressing the House, or unless the President or Speaker, as the case may be, shall be ascertaining the sense of the House upon any question, in which case the bearer of the Message shall not be announced until the Member shall have concluded his speech, or until the sense of the House shall have been declared by the President or Speaker, as the case may be; and the bearer of the Message Members carrying Message, how announced.

shall be introduced by the Usher or the Serjeant-at-Arms, and shall deliver the Message to the President or Speaker.

Messages
carried by
officer, how
delivered.

4. Messages carried by an officer of either House shall be delivered to the Serjeant-at-Arms or the Usher, as the case may be.

Consent de-
sired to Bills,
Votes, and
Resolutions,
how commu-
nicated.

5. Bills, Votes, and Resolutions of either House, to which the consent of the other House shall be desired, shall be communicated to such other House by Message; and, in the first instance, without any reason being assigned for the passing of such Bills, Votes, or Resolutions.

Same course
when
returned.

6. Bills, Votes, and Resolutions of either House, to which the consent of the other House shall have been desired, shall, if returned from such other House, be sent by Message; and, in the first instance, without any reason being assigned for passing, declining to assent to, or amending, as the case may be, such Bills, Votes, or Resolutions.

Amendments
insisted upon
and commu-
nications
desired,
reasons
to be stated
in Message.

7. When either House shall not agree to any amendment made by the other House in any Bill, Vote, or other Resolution with which its concurrence shall have been desired, or when either House shall insist upon any amendment previously proposed by such House, and any communication shall be desired, then the communication shall be by Message, and the House transmitting such Message shall at the same time transmit reasons in writing, or partly in

writing and partly in print, for not agreeing to the amendment proposed by the other House, or for insisting upon any amendment previously proposed by the House sending such Message.

*7A. Any responsible Minister of the Crown who, under the provisions of section nine of *The Constitution Act 1903*, may sit in the House of Parliament of which he is not a Member, shall while doing so be subject to the Standing Orders of that House and to the law and practice of Parliament which is applicable to it.

Responsible Minister sitting in House of which not a Member subject to Standing Orders of that House.

8. The number of Members of each House appointed to serve on any Joint Committee shall be equal, and the Chairman thereof shall have a vote, but not a casting vote.

Joint Committees.

9. At the commencement of each Session there shall be appointed by each House a Committee of five Members respectively to constitute a Joint Committee to manage the Library; † another Committee of five Members of each House respectively to constitute a Joint Committee for the management of the Refreshment Rooms; another Committee of five Members of each House respectively to constitute a Joint Committee for the management and superintendence of the Parliament Buildings; and three Members shall form a quorum of each of the said Committees. No quorum of any Joint Committee shall consist exclusively of Members of the Legislative Council or of Members of the Legislative Assembly.

Number of Members on Joint Committees: Library, Refreshment Rooms, and Parliament Buildings.

* Approved 30th November, 1904. † But see now *Act No. 3660*, ss. 367-371, which provides for the appointment each Session of a joint House Committee to manage the Refreshment Rooms, Parliament Gardens, and Parliament Buildings.

Proposal for
Joint Com-
mittees to
state object
and number.

Time and
place of
meeting.

Bills to be
fair printed
and certified.

Amendments
to be at-
tached to the
Bill, and cer-
tified by the
Clerk.

When Bill
passed, three
copies on
special
paper to be
printed and
authenticated
by Clerk of
Parliaments.

Clerk of Par-
liaments to
present all
Bills except
the Approp-
riation Bill
to the
Governor.

10. Every proposal for a Joint Committee not provided for in these Orders shall be by Message, which Message shall state the object of such Committee, and the number of Members to serve thereon, and the number of Members to form a quorum thereof; and the House whose concurrence shall be desired shall name the time and place of meeting.

11. Every Bill shall be printed fair immediately after it shall have been passed in the House in which it originated; and the Clerk of the House in which the Bill shall have passed shall certify the passing thereof on such fair print together with the day upon which the Bill did pass.

12. If any amendment shall be made by the House to which the Bill shall be sent, a copy of such amendment shall be attached to the Bill, and reference shall be made to the clause and line of the Bill where the words are to be inserted or omitted, as the case may be, and such amendment shall be certified by the Clerk of the House in which it shall have passed.

13. [*Repealed 15th June, 1915.*]

*13A. When a Bill shall have passed both Houses, it shall be printed by the Government Printer, who shall furnish three copies thereof on special paper to the Clerk of the Parliaments, who shall duly authenticate such copies.

14. The said three copies of all Bills, except the Appropriation Bill, shall be presented to the Governor for Her Majesty's assent by the Clerk of the Parliaments.

15. [*Repealed 15th June, 1915.*]

*15A. In case of amendments to Bills, made upon a Message from the Governor, pursuant to section 36 of *The Constitution Act*, after such Bills shall have passed both Houses, the Clerk of the Parliaments shall indorse the same on the original Bill, and shall order three copies of the Bill on special paper as amended, and shall authenticate the same before they are presented for His Majesty's assent.

Procedure on Bills returned by Governor with amendments.

16. [*Repealed 15th June, 1915.*]

*16A. When the Governor shall have assented in the name of His Majesty to any Bill, one of the three copies printed on special paper shall be deposited by the Clerk of the Parliaments with the Registrar of the Supreme Court, another shall be delivered to the Private Secretary of His Excellency the Governor, for transmission to His Majesty's Principal Secretary of State for the Colonies, and the third shall be retained in the Record Office of the Parliament House.

Disposal of original Bills.

17. The title of every Bill shall succinctly set forth the general object thereof.

Title of Bill to set forth general object.

18. Every Act of the Legislature, commencing No. 1, from the 1st January, 1857, shall be numbered in regular arithmetical series, in the order in which the same shall be assented to by the Governor.

Numbering of Acts assented to.

Numbering
of Acts re-
served, but
subsequently
receiving
Royal
Assent.

19. Any Act which shall, as a Bill, have been passed by both Houses of Parliament, but reserved by the Governor for the signification of Her Majesty's pleasure, and shall afterwards receive the Royal Assent, shall be numbered with the number next in arithmetical progression to the number already given to the last Act assented to by the Governor.

Clerk of the
Parliaments
to correct
typograph-
ical errors.

20. The Clerk of the Parliaments shall be empowered to correct literal typographical errors in Bills that have passed both Houses.

Clerk of the
Parliaments
to report
clerical
errors.

21. Upon the discovery of any clerical error in any Bill which shall have passed both Houses, and before the same be presented to the Governor for the Royal Assent, the Clerk of the Parliaments shall report the same to the House in which the Bill originated, which House may deal with the same as with other amendments.

Clerk-Assist-
ant to per-
form duties
in absence of
Clerk of the
Parliaments.

22. In case of unavoidable absence or illness of the Clerk of the Parliaments, his duties shall be performed by the Clerk-Assistant of the Legislative Council.

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