

HOUSE OF REPRESENTATIVES

# **Standing and Sessional Orders**

AS AT 10 FEBRUARY 2003

DEPARTMENT OF THE HOUSE OF REPRESENTATIVES  
CANBERRA

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The sessional orders adopted for the remainder of the session or for a specified period are shown in **bold type**.

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# **Standing and Sessional Orders**



# Standing and Sessional Orders of the House of Representatives as at 10 February 2003

## CHAPTER I

### **GENERAL RULE FOR CONDUCT OF BUSINESS**

#### **Practice of House of Commons to be observed, unless other provision is made**

**1** In all cases not provided for hereinafter, or by sessional or other orders or practice of the House, resort shall be had to the practice of the Commons House of the Parliament of the United Kingdom of Great Britain and Northern Ireland in force for the time being, which shall be followed as far as it can be applied.

## CHAPTER II

### **PROCEEDINGS ON THE MEETING OF PARLIAMENT**

#### **Meeting of new Parliament**

**2** On the first day of the meeting of a Parliament for the despatch of business after a dissolution, pursuant to the Governor-General's Proclamation, Members having met at the time and place appointed—

#### **Clerk reads Proclamation**

(a) The Clerk shall read the Proclamation calling Parliament together.

#### **Message from Deputies**

(b) The House shall await a message from the Deputies appointed by the Governor-General desiring the attendance of Members to hear the Commission read.

#### **House attends to hear Commission read**

(c) The House shall attend at the place named in the message to hear the Commission read. After the reading thereof the House shall return to its own Chamber.

#### **Return to Writs presented and Members sworn**

(d) The writ or copy-writ of election of each Member shall be laid upon the Table by the Clerk, and the Members shall then be sworn, or make affirmation, as prescribed by the Constitution.

### **Speaker to be elected**

(e) The House shall then proceed to elect a Speaker.

### **Until Speaker is elected, Clerk acts as Chair**

(f) Until a Speaker is elected, the Clerk shall act as Chair of the House.

### **Time announced for Governor-General's Speech**

(g) The Speaker having presented himself or herself to the Governor-General, and having reported that fact to the House, a Minister shall then inform the House at what time the Governor-General will declare the causes of the calling of the Parliament together; and the House may then suspend its sitting until that time, when it shall again attend and await a message from the Governor-General.

## **Meeting for new session**

### **Clerk reads Proclamation**

3 On the first day of the meeting of Parliament for the despatch of business, not being next after a dissolution, pursuant to the Governor-General's Proclamation, Members of the House, having met at the time and place appointed, the Clerk shall read the Proclamation, and the Speaker having read Prayers, the House shall await a message from the Governor-General.

## **Governor-General's speech**

### **House attends to hear speech**

4 When a message is received summoning Members to hear the speech, the Speaker and the Members shall attend at the place appointed by the Governor-General in the message.

### **When Parliament opened by Deputies**

5 When the reasons for calling Parliament together are announced by Deputies appointed by the Governor-General, the same forms shall be observed by the House as when the Governor-General opens Parliament in person.

### **House returns to its own Chamber**

6 The Speaker and the Members, having heard the speech of the Governor-General or of his or her Deputies, shall return to the House.

### **Formal business**

7 Before the Governor-General's speech is reported some formal business shall be transacted.

## **Address in Reply**

### **Opening Speech reported—Address in Reply**

8 The Speaker shall report to the House the Governor-General's speech, whereupon a committee shall be appointed to bring up an Address in Reply thereto.

## **Presentation of Address**

**9** The Address as agreed to by the House shall be presented to the Governor-General by the Speaker, accompanied by any Members who may think fit to attend, and the Speaker shall report to the House the Governor-General's reply to their Address.

## **Business before Address adopted**

**10** [ [ [ [

## **Presence of the Queen**

### **Presence of Her Majesty**

**11** On any occasion upon which Her Majesty the Queen intends to declare in person the causes of the calling together of the Parliament, references in Chapter II of these standing orders to the Governor-General shall, to the necessary extent, be read as references to Her Majesty.

## **References to Governor-General—Extension to Administrator**

### **References to Governor-General**

**11A** Where, in these standing orders, the Governor-General is referred to, the reference shall be read as extending and applying to the person for the time being administering the Government of the Commonwealth.

## CHAPTER III

## **SPEAKER, DEPUTY SPEAKER, SECOND DEPUTY SPEAKER, SPEAKER'S PANEL AND OFFICERS**

### **Election of Speaker**

**12** The election of Speaker shall be conducted in the following manner:

#### **A Member proposed as Speaker**

- (a) At the opening of Parliament, after the Members present have been sworn, or whenever the office of Speaker becomes vacant, a Member, addressing the Clerk, shall propose some Member, then present, to the House for their Speaker, and move that such Member "Do take the Chair of this House as Speaker", which motion shall be seconded. A Member when proposed and seconded shall inform the House whether he or she accepts nomination.

#### **If unopposed, elected**

- (b) The Clerk shall then ask "Is there any further proposal?", and if there is no further proposal, the Clerk shall say "The time for proposals has expired". No Member may then address the House or propose any other Member, and the Clerk shall, without question put, declare the Member so proposed and seconded to have been elected as Speaker, and such Member shall be conducted to the Chair by the proposer and seconder, and shall take the Chair of the House as Speaker.

### **When 2 or more Members proposed**

- (c) If more than one Member is proposed as Speaker, the Clerk shall, after the second proposal and after each subsequent proposal (if any) is made and seconded, ask "Is there any further proposal?", and if there is no further proposal, the Clerk shall say "The time for proposals has expired".

### **Debate**

- (d) When the time for proposals has expired, debate may ensue, but it shall be relevant to the election.

### **Limitation of speech**

- (e) No Member may speak for more than five minutes.

### **Closure**

- (f) At any time during the debate, a motion without notice may be moved by a Minister, and whether any Member is addressing the Chair or not, "That the question be now put", which question shall be put forthwith by the Clerk and decided without amendment or debate. In the event of the numbers being equal the question shall be decided in the negative. Upon the carrying of the question "That the question be now put", or upon the cessation of the debate otherwise, the election shall be proceeded with as provided in this standing order.

### **Bells to be rung before ballot**

- (g) Before the House proceeds to a ballot the bells shall be rung as in a division.

### **Mode of decision between candidates**

- (h) When only two Members are proposed and seconded as Speaker, each Member shall deliver to the Clerk a ballot-paper in writing, containing the name of the candidate for whom he or she votes and the votes shall be counted by the Clerks at the Table; and the candidate who has the greater number of votes shall be the Speaker, and be conducted to the Chair.

### **Mode of decision where more than 2 candidates**

- (i) When more than two Members are so proposed and seconded, the votes shall be taken in like manner, and the Member who has the greatest number of votes shall be the Speaker, provided the Member also has a majority of the votes of the Members present; but if no candidate has such majority, the name of the candidate having the smallest number of votes shall be excluded from subsequent ballots, and a fresh ballot shall take place; and this shall be done as often as necessary, until one candidate is declared to be elected as Speaker by such majority, when such Member shall be conducted to the Chair.

### **Equality of votes**

- (j) If at any ballot it is impossible by reason of the equality of votes to determine which name shall be excluded from subsequent ballots, a special ballot shall take place at which there shall be submitted only the

names of those candidates who have received equal votes. At such special ballot each Member shall write on a ballot-paper only the name of the candidate he or she wishes to retain. The candidate whose name appears upon the smallest number of ballot-papers shall then be excluded from subsequent ballots.

- (k) At any time after the result of the first ballot is declared, but before the commencement of the second or other subsequent ballot, a candidate may withdraw from the election which shall then proceed as if the Member had not been nominated.
- (l) If by reason of equality of votes a ballot or special ballot is rendered inconclusive, the Clerk shall so declare, and unless by a withdrawal another ballot or (as the case may be) another special ballot is rendered unnecessary, the Clerk shall cause such other ballot or special ballot to be taken. If after the counting of votes the equality continues the Clerk shall so declare. Thereupon the sitting shall be suspended for 30 minutes and when the House re-assembles the votes shall be taken again, unless this is rendered unnecessary by a withdrawal.

#### **One candidate remaining**

- (m) Whenever at any stage a withdrawal leaves only one candidate remaining that candidate shall without further voting, be declared elected as Speaker, and shall then be conducted to the Chair.

#### **Speaker takes Chair, and Mace laid upon Table**

- (n) Having been conducted to the Chair, the Member elected acknowledges the honour conferred by the House, and thereupon sits down in the Chair, and then the Mace (which before lay under the Table) shall be laid upon the Table.

#### **Presentation of Speaker to Governor-General**

- (o) The Speaker having been congratulated, a Minister shall inform the House at what time the Governor-General will be pleased to receive the House for the purpose of presenting the Speaker to the Governor-General, and the sitting of the House shall then be suspended until that time.

#### **Presentation of Speaker to Governor-General**

- (p) Before proceeding to any business, the Speaker with the House, shall present himself or herself to the Governor-General; and, on returning, shall pass through the Chamber, and, having resumed the Chair, shall report his or her presentation to the Governor-General.

### **Appointment of Deputy Speaker and Second Deputy Speaker**

#### **Deputy Speaker and Second Deputy Speaker appointed**

**13** At the commencement of each Parliament two Members shall be appointed by the House, one to be Deputy Speaker and the other to be Second Deputy Speaker.

The Deputy Speaker and Second Deputy Speaker shall be appointed in the following manner:

**Member proposed by motion**

- (a) The Speaker shall ask for nominations and call Members in turn to move, without notice, a motion that a Member be appointed a Deputy Speaker of this House, each motion to be seconded.
- (b) When there are no further motions the Speaker shall say that the time for motions has expired.

**If unopposed, appointed**

- (c) If there is only one nomination the Speaker shall, without question put, declare the Member named to have been appointed Deputy Speaker. The position of Second Deputy Speaker shall remain vacant until the commencement of the next Parliament, a vacancy occurs in the office of Deputy Speaker necessitating a ballot for the position, or the House agrees to a motion that a ballot be conducted for the position of Second Deputy Speaker, whichever occurs first.

**Debate**

- (d) If there are two or more nominations, when the time for motions has expired, debate may ensue but it shall be relevant to the election.

**Limitation of speech**

- (e) No Member may speak for more than five minutes.

**Closure**

- (f) At any time during the debate, a motion without notice may be moved by a Minister, and whether any Member is addressing the Chair or not, "That the question be now put", which question shall be put forthwith and decided without amendment or debate. Upon the carrying of the question "That the question be now put", or upon the cessation of the debate otherwise, the appointment of the Deputy Speaker and the Second Deputy Speaker shall be proceeded with as provided in this standing order.

**Bells to be rung before ballot**

- (g) At the conclusion of the debate the bells shall be rung as in a division and the House shall proceed to a ballot.

**Result of ballot**

Each Member, other than the Speaker, shall deliver to the Clerk a ballot paper, in writing, containing the name of the nominated Member for whom he or she votes to be appointed the Deputy Speaker. The votes shall be counted by the Clerks at the Table and the Member who has the greatest number of votes shall be the Deputy Speaker and the Member who has the next greatest number of votes shall be the Second Deputy Speaker.

### **Equality of votes—Speaker to give casting vote**

- (h) If, after any ballot, other than a ballot which takes place in accordance with paragraph (i) of this standing order, in which the names of only two Members are submitted, there is an equality of votes, the Speaker shall give a casting vote and the Member for whom the Speaker votes shall be the Deputy Speaker and the other Member shall be the Second Deputy Speaker.

### **Equality of votes when more than 2 candidates**

- (i) If, after any ballot in which the names of more than two Members are submitted, it is impossible by reason of an equality of votes to determine which Member has the greatest number of votes or which Member has the second greatest number of votes—

(1) If there is an equality of votes for two Members, the Speaker shall give a casting vote for one of those two Members who shall then be declared appointed to the office which the equality of votes had made it impossible to determine; and

(2) If there is an equality of votes for more than two Members, a special ballot shall take place in which only the names of the Members who received an equal number of votes are submitted.

If the equality of votes had made it impossible to determine the Member to be appointed as Deputy Speaker, then the ballot shall be conducted in the same manner as provided in paragraph (g) and the Member who receives the greatest number of votes shall be the Deputy Speaker and the Member who receives the next greatest number of votes shall be the Second Deputy Speaker.

If the equality of votes had made it impossible to determine only the position of the Second Deputy Speaker, then each Member shall write on the ballot paper the name of the Member for whom he or she votes to be appointed Second Deputy Speaker and the Member receiving the greatest number of votes shall be the Second Deputy Speaker.

If, by reason of a continued equality of votes, the special ballot is inconclusive, then, unless a name is withdrawn, the sitting shall be suspended for 30 minutes. When the sitting is resumed, the votes shall be taken again unless this is rendered unnecessary by a withdrawal.

### **Member proposed may withdraw name**

- (j) At any time after the result of the first ballot is declared, but before the commencement of any subsequent ballot, a Member whose name was submitted in the first ballot may withdraw his or her name and all further proceedings shall take place as if a motion for the appointment of the Member as a Deputy Speaker had not been moved.

### **Duty of Deputy Speaker**

**13A** The Deputy Speaker shall chair the Main Committee.

### **Duty of Second Deputy Speaker**

**13B** The Second Deputy Speaker shall assist the Deputy Speaker in the Main Committee and, in the absence of the Deputy Speaker, shall act as Deputy Speaker.

### **Absence of Speaker, Deputy Speaker and Second Deputy Speaker**

#### **Absence of Speaker**

**14** Whenever the House is informed by the Clerk of the absence of the Speaker, the Deputy Speaker, or if the Deputy Speaker is also absent the Second Deputy Speaker, shall, subject to any other order of the House, perform the duties of the Speaker, as Acting Speaker, during that absence.

#### **Absence of Speaker, Deputy Speaker and Second Deputy Speaker**

**15** Whenever the House is informed by the Clerk of the absence of the Speaker and both the Deputy Speaker and the Second Deputy Speaker, the Members present, if a quorum, may at once proceed to elect one of their number who shall, subject to any other order of the House, perform the duties of the Speaker during that absence. Otherwise the House stands adjourned to the next sitting day.

For the purposes of this standing order, the Clerk shall act as Chair of the House until a Member is elected to perform the duties of the Speaker.

#### **Continued absence of Speaker**

**16** [ [ [ [

#### **Speaker relieved by Deputy Speaker or Second Deputy Speaker**

**17** The Deputy Speaker or the Second Deputy Speaker shall take the Chair whenever requested to do so by the Speaker during a sitting of the House, without any formal communication to the House.

#### **Speaker's panel**

**18** The Speaker shall nominate at the commencement of every Parliament a panel of not less than four Members to assist the Chair pursuant to standing order 19, and may, at any time during the Parliament, nominate additional Members or revoke the nomination of any Member.

#### **Duties of Speaker's panel**

**19** The Speaker or the Deputy Speaker may call on any one of the members of the Speaker's panel to take the Chair as Deputy Speaker. The Deputy Speaker may also call on any one of the members of the Speaker's panel to take the Chair of the Main Committee.

### **Vacancy in office of Speaker**

#### **Vacancy in Speakership during session**

**20** When a vacancy has occurred in the office of Speaker during a session, the Clerk shall report the same to the House at its next sitting, and the

House shall either forthwith, or at its next sitting, proceed to the election of a new Speaker in the manner hereinbefore provided.

### **Vacancy in Speakership during recess**

**21** When a vacancy has occurred in the office of Speaker during recess, the Clerk shall, on the opening of the next session, report the same to the House on its return from hearing the Governor-General's speech, or from attending to hear the Commission read, as the case may be, and the House shall forthwith proceed to the election of a new Speaker in the manner hereinbefore provided.

### **When vacancy in Speakership, Deputy Speaker to fix time of meeting**

**22** When a vacancy has occurred in the office of Speaker during any adjournment following which the date and hour of the next meeting is to be, or may be, fixed by the Speaker, the date and hour of the next meeting shall be fixed by the Deputy Speaker.

### **Vacancies in both offices of Deputy Speaker and Second Deputy Speaker**

**22A** If the offices of Deputy Speaker and Second Deputy Speaker become vacant at the same time the House shall appoint two Members to be Deputy Speaker and Second Deputy Speaker in the same manner as set out in standing order 13.

### **Single vacancy in office of Deputy Speaker or Second Deputy Speaker**

**22B** When a single vacancy occurs in the office of Deputy Speaker or the office of Second Deputy Speaker the House shall appoint a Member to fill the vacant office in the following manner:

#### **Member proposed by motion**

- (a) A motion shall be moved, without notice, that a Member be appointed Deputy Speaker or Second Deputy Speaker, as the case may be, of this House, which motion shall be seconded. In the case of appointment to the office of Second Deputy Speaker, only a non-government Member may be named in the motion.

#### **If unopposed, appointed**

- (b) The Speaker shall then ask if there is any further motion, and if there is not, shall say that the time for motions has expired. No Member may then address the House or move any motion for the appointment of a Member to the vacant office, and the Speaker shall, without question put, declare the Member named in the motion, to have been appointed to the vacant office.

#### **When 2 or more Members proposed**

- (c) If more than one motion for the appointment of a Member to the vacant office is moved and seconded, the Speaker shall, after the second motion, and after each subsequent motion (if any), ask if there is any further motion, and if there is not, shall say that the time for motions has expired.

**Debate**

- (d) When the time for motions has expired, debate may ensue, but it shall be relevant to the election.

**Limitation of speech**

- (e) No Member may speak for more than five minutes.

**Closure**

- (f) At any time during the debate, a motion without notice may be moved by a Minister rising in his or her place, and whether any Member is addressing the Chair or not, "That the question be now put", which question shall be put forthwith and decided without amendment or debate.

Upon the carrying of the question "That the question be now put", or upon the cessation of the debate otherwise, the appointment of the Member to fill the vacant office shall be proceeded with as provided in this standing order.

**Bells to be rung before ballot**

- (g) Before the House proceeds to a ballot the bells shall be rung as in a division.

**Mode of decision between candidates**

- (h) When only two motions for the appointment of a Member to the vacant office are moved and seconded, each Member, other than the Speaker, shall deliver to the Clerk a ballot paper in writing, containing the name of the Member named in one or other of the motions for whom he or she votes, and the votes shall be counted by the Clerks at the Table; and the Member who has the greater number of votes shall be appointed to the vacant office.

**Mode of decision where more than 2 candidates**

- (i) When more than two motions for the appointment of a Member to the vacant office are moved and seconded, the votes shall be taken in the same manner, and the Member who has the greatest number of votes shall be appointed to the vacant office, provided he or she has also a majority of the votes of the Members present; but if no Member has such majority, the name of the Member having the smallest number of votes shall be excluded from subsequent ballots, and a fresh ballot shall take place; and this shall be done as often as necessary until one Member has such majority when he or she shall be appointed to the vacant office.

**Equality of votes—Speaker to give casting vote**

- (j) If, after any ballot, other than a ballot which takes place in accordance with paragraph (k) of this standing order, in which the names of only two Members are submitted, there is an equality of votes, the Speaker shall give a casting vote and the Member for whom he or she votes shall be appointed to the vacant office.

**Equality of votes where more than 2 candidates**

- (k) If, after any ballot in which the names of more than two Members are submitted, it is impossible by reason of an equality of votes to determine which name shall be excluded from subsequent ballots—
  - (1) If there is an equality of votes for two Members, the Speaker shall give a casting vote and the name of the Member for whom he or she does not vote shall be excluded from subsequent ballots; and
  - (2) If there is an equality of votes for more than two Members, a special ballot shall take place at which there shall be submitted only the names of those Members who have received equal votes and in which each Member shall write on the ballot paper only the names of the Members he or she wishes to retain. The name of the Member who receives the smallest number of votes shall be excluded from subsequent ballots. If, by reason of a continued equality of votes, the special ballot is inconclusive, then, unless a name is withdrawn, the sitting shall be suspended for 30 minutes. When the sitting is resumed, the votes shall be taken again unless this is rendered unnecessary by a withdrawal.

**Member proposed may withdraw**

- (l) At any time after the result of the first ballot is declared, but before the commencement of any subsequent ballot, a Member whose name was submitted in the first ballot may withdraw his or her name and all further proceedings shall take place as if a motion for the appointment of the Member had not been moved.

**One candidate remaining**

- (m) Whenever a withdrawal leaves only one Member in respect of whom a motion for appointment to the vacant office is before the House, that Member shall be declared to have been appointed.

**Absence of, and vacancy in office of, Clerk**

**Unavoidable absence of Clerk**

**23** In case of unavoidable absence of the Clerk, the Clerk’s duties shall be performed by the Deputy Clerk or, should the latter be absent, by the Clerk Assistant.

**Vacancy in office of Clerk**

**24** During any vacancy in the office of Clerk all powers, functions, and duties of the Clerk shall be exercised and performed by the Deputy Clerk.

CHAPTER IV

**Standing Orders Committee**

**25** [ [ [ [

**Committee of Privileges**

**26** [ [ [ [

**Library and House Committees**

**27** [ [ [ [

**Publications Committee**

**28** [ [ [ [

**Committee of Members' Interests**

**28A** [ [ [ [

**General purpose standing committees**

**28B** [ [ [ [

**Consideration of bills by House members of joint committees**

**28BA** [ [ [ [

**Standing Committee on Procedure**

**28C** [ [ [ [

**Selection Committee**

**28D** [ [ [ [

**Quorum of standing committee**

**29** [ [ [ [

CHAPTER V

**ROLL, PLACES OF MEMBERS, LEAVE OF ABSENCE  
VOTES AND PROCEEDINGS AND RECORDS**

**Members' roll to be kept by Clerk**

**30** A Members' roll for each State shall be kept by the Clerk, showing the name of the Member elected for each Division, the dates of his or her election, of making the oath or affirmation, and of ceasing to be a Member and the cause thereof.

**Record of attendance**

**31** The attendance of Members at each sitting of the House shall be recorded in the Votes and Proceedings.

**Places reserved for Ministers**

**32** The front seats, nearest to the right hand of the Speaker, shall be reserved for Ministers.

**Seats**

**33** Any question with regard to the seats to be occupied by Members shall be determined by the Speaker.

**Members retain seats**

**34** A Member shall be entitled to retain the seat he or she occupied at the expiration of the previous Parliament.

### **Leave of absence**

**35** Leave of absence may be given by the House to any Member, on motion without notice, stating the cause and period of absence; and such motion shall have priority over all other business.

### **Leave of absence excuses from service**

**36** A Member shall be excused from service in the House, or on any committee, so long as the Member has leave of absence.

### **Leave of absence forfeited**

**37** Any Member, having leave of absence, shall forfeit the same if he or she attends the service of the House before the expiration of such leave.

### **Votes and Proceedings of House**

**38** All proceedings of the House shall be recorded by the Clerk, and such records shall constitute the Votes and Proceedings of the House, shall be signed by the Clerk and shall be the record of the proceedings of the House.

### **Custody of records**

**39** The custody of the Votes and Proceedings, records, and all documents whatsoever laid before the House shall be in the Clerk, who shall neither take, nor permit to be taken, any such Votes and Proceedings, records, or documents, from the Chamber or offices, without the leave of the Speaker: Provided that on the application of a department any original document laid on the Table, if not likely to be further required by Members, may in the Speaker's discretion be returned to such department.

## CHAPTER VI

### **SITTING AND ADJOURNMENT OF THE HOUSE**

#### **Days and hours of meeting**

##### **Days and hours of meeting**

**40** Unless otherwise ordered, the House shall meet for the despatch of business on each—

Monday, at 12.30 p.m.

Tuesday, at 2 p.m.

Wednesday, at 9 a.m.

Thursday, at 9 a.m.

From the termination of the last sitting in the second week of sittings, the House shall stand adjourned until 12.30 p.m. on the third Monday after the termination, unless the Speaker shall, by writing addressed to each Member of the House, fix an alternative day or hour of meeting. The 4-weekly cycle will then be repeated.

## **Quorum at time of meeting**

### **Chair taken, or House adjourned for want of quorum**

**41** The Chair shall be taken at the time appointed on every day fixed for the meeting of the House; but if a quorum<sup>1</sup> of Members is not present, and if within five minutes, the bells having been rung, a quorum is still not present, the Speaker shall adjourn the House to the next sitting day:

### **Chair taken later if quorum likely**

Provided that if the Speaker is satisfied there is likely to be a quorum within a reasonable time the Speaker shall announce that he or she will take the Chair at a stated time; but if at that time there be not a quorum the Speaker shall adjourn the House to the next sitting day.

### **Members not to leave before quorum present**

**42** A Member shall not be permitted to withdraw from the Chamber within five minutes after the time appointed for the meeting of the House unless a House is formed.

## **Prayers**

### **Prayers**

**43** Upon the Speaker taking the Chair each day, and a quorum of Members being present, the Speaker shall read the following Prayers:

Almighty God, we humbly beseech Thee to vouchsafe Thy blessing upon this Parliament. Direct and prosper our deliberations to the advancement of Thy glory, and the true welfare of the people of Australia.

Our Father, which art in Heaven: Hallowed be Thy Name. Thy Kingdom come. Thy will be done in earth, as it is in Heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive them that trespass against us. And lead us not into temptation; but deliver us from evil: For Thine is the kingdom, and the power, and the glory, for ever and ever. Amen.

## **Quorum during sitting**

### **If no quorum in division, House adjourned**

**44** If it appears on the report by the tellers of a division of the House that a quorum of Members is not present, the Speaker shall adjourn the House till the next sitting day; and no decision of the House shall be considered to have been arrived at by such division: Provided that if the Speaker is satisfied there is likely to be a quorum within a reasonable time the Speaker shall announce that he or she will take the Chair at a stated time; but if at that time there be not a quorum the Speaker shall adjourn the House to the next sitting day.

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<sup>1</sup> A quorum is at least one-fifth of the whole number of the Members of the House of Representatives, that is, 30 Members. See *House of Representatives (Quorum) Act 1989*.

### **When want of quorum noticed, House counted—House adjourned**

**45** Subject to standing order 45A, if any Member draws the attention of the Speaker to the state of the House, the Speaker shall immediately count the House; and, if a quorum be not present within four minutes, the Speaker shall adjourn the House till the next sitting day: Provided that if the Speaker is satisfied that there is likely to be a quorum within a reasonable time the Speaker shall announce that he or she will take the Chair at a stated time; but if at that time there is not a quorum present the Speaker shall adjourn the House to the next sitting day.

**45A** On sitting Mondays and Tuesdays, if any Member draws the attention of the Speaker to the state of the House between the hours of 6.30 p.m. and 8 p.m., the Speaker shall announce that he or she will count the House at 8 p.m., if the Member so desires.

### **Want of quorum in committee**

**46** [ [ [ [ [

### **Counting of Members in quorum**

**46A** [ [ [ [ [

### **Want of quorum, all Members to be counted and to remain in Chamber**

**47** When the attention of the Speaker has been called to the fact that there is not a quorum of Members present, any Member who is within the physical limits of the Chamber shall be counted to determine whether a quorum is present and no Member shall leave the Chamber until a quorum is present or four minutes have elapsed.

### **Doors unlocked and bells rung when House counted**

**48** The doors of the House shall be unlocked whenever the Speaker is engaged in counting the House and the bells shall be rung as in a division.

## **Adjournment and next meeting**

### **Adjournment and next meeting**

**48A** At 9 p.m. on a sitting Monday or Tuesday, at 7.30 p.m. on a sitting Wednesday and at 4.30 p.m. on a sitting Thursday the Speaker shall propose the question—That the House do now adjourn—which question shall be open to debate. No amendment may be moved to this question:

Provided that:

- (a) if a division is in progress at the time fixed for interruption, that division, and any division consequent upon that division, shall be completed and the result announced;
- (b) if, on the question—That the House do now adjourn—being proposed, a Minister requires the question to be put forthwith without debate, the Speaker shall forthwith put the question;
- (c) a motion for the adjournment of the House may be moved by a Minister at an earlier hour;

- (d) any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting, and
- (e) if the question—That the House do now adjourn—is negatived, the House shall resume the proceedings at the point at which they had been interrupted:

Provided further that, if at 9.30 p.m. on a sitting Monday or Tuesday, at 8 p.m. on a sitting Wednesday or at 5 p.m. on a sitting Thursday, the question before the House is—That the House do now adjourn—the Speaker shall interrupt the debate, at which time—

#### **Minister may extend debate**

- (f) a Minister may require that the debate be extended until 9.40 p.m., 8.10 p.m. or 5.10 p.m., as appropriate, to enable Ministers to speak in reply to matters raised in the preceding adjournment debate; at 9.40 p.m., 8.10 p.m. or 5.10 p.m., as appropriate, or upon the earlier cessation of the debate, the Speaker shall forthwith adjourn the House until the time of its next meeting, or
- (g) if no action is taken by a Minister under paragraph (f) the Speaker shall forthwith adjourn the House until the time of its next meeting.

#### **House adjourns only by resolution with exceptions**

**49** The House can only be adjourned by its own resolution, except in the cases mentioned in standing orders 41, 44, 45 and 308, when the Speaker adjourns the House without putting a question.

#### **Adjournment of House**

**50** A motion for the adjournment of the House may be moved only by a Minister. No amendment can be moved to this motion.

#### **Motion to fix next meeting**

**51** A motion, for the purpose of fixing the next meeting of the House, may be moved by a Minister at any time without notice.

## CHAPTER VII

### **RULES OF DEBATE AND PRIVILEGE**

#### **Order**

##### **Order maintained by Speaker, or in Main Committee by Chair**

**52** Order shall be maintained in the House by the Speaker, and in the Main Committee by the Chair; but disorder in the Committee can be censured by the House only on receiving a report.

##### **When the Speaker rises**

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

### **When Speaker putting question**

**54** When the Speaker is putting a question no Member may walk out of or across the Chamber.

### **Member speaking not to be interrupted**

**55** When a Member is speaking, no Member may converse aloud or make any noise or disturbance to interrupt the Member.

### **Member to make obeisance to Chair**

**56** Every Member shall make obeisance to the Chair in passing to or from his or her seat.

### **Members passing through the House**

**57** No Member may pass between the Chair and any Member who is speaking.

### **Members to take their places**

**58** Every Member of the House, when he or she comes into the Chamber, shall take his or her seat, and shall not at any time stand in any of the passages or gangways.

## **Manner and right of speech**

### **Members address Speaker standing**

**59** Every Member desiring to speak shall rise and address the Speaker.

### **Indulgence to Members unable to stand**

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

### **Speaker calls upon Member to speak**

**61** When two or more Members rise together to speak the Speaker shall call upon the Member who, in the Speaker's opinion, first rose in his or her place; but it shall be in order to move that any Member who has risen "be now heard", or "do now speak" and the question shall be put forthwith and determined without amendment or debate.

### **Speech not read**

**62** [ [ [ [

### **When Member may speak**

**63** A Member may speak to any question before the Chair which is open to debate, when moving a motion which will be open to debate, when moving an amendment, when rising to order, upon a matter of privilege or upon a matter submitted under standing order 107, but not otherwise.

### **Personal explanation**

**64** Having obtained leave from the Chair, a Member may explain matters of a personal nature, although there be no question before the House; but such matters may not be debated.

### **Member not to speak twice**

**65** No Member may speak twice to a question except in explanation or reply or during consideration in detail of a bill or consideration of amendments to a bill made or requested by the Senate.

### **Except to explain words**

**66** A Member who has spoken to a question may again be heard, to explain some material part of his or her speech which has been misquoted or misunderstood, but shall not introduce any new matter, or interrupt any Member in possession of the Chair, and no debatable matter may be brought forward nor may any debate arise upon such explanation.

### **Right of reply**

**67** A reply shall be allowed to a Member who has moved a substantive motion or the second or third reading of a bill, and the reply shall be confined to matters raised during the debate.

### **Reply closes debate**

**68** In all cases the reply of the mover of the original question closes the debate except during consideration in detail of a bill or consideration of amendments to a bill made or requested by the Senate.

### **No Member to speak after question put**

**69** No Member may speak to any question after the same has been put by the Speaker and the voices have been given in the affirmative and negative thereon.

### **Member not speaking when seconding motion, etc., may speak later**

**70** It shall be competent to a Member, when seconding a motion or amendment before the House, without speaking to it, to address the House on the subject of such motion or amendment at a later period during the debate.

### **Allusion to previous debate or proceeding**

**71** No Member may allude to any debate or proceedings of the same session unless such allusion be relevant to the matter under discussion.

### **Allusion to debate or proceedings in the Senate**

**72** No Member may allude to any debate or proceedings of the current session in the Senate, or to any measure pending therein, unless such allusion be relevant to the matter under discussion: Provided that this standing order shall not prevent reference to a ministerial statement in the Senate.

### **Reflections upon votes of House**

**73** No Member may reflect upon any vote of the House, except upon a motion that such vote be rescinded.

### **Use of Queen's, Governor-General's or Governor's name**

**74** No Member may use the name of Her Majesty, her representative in the Commonwealth, or her representative in a State, disrespectfully in debate, nor for the purpose of influencing the House in its deliberations.

### **Offensive words**

**75** No Member may use offensive words against either House of the Parliament or any Member thereof, against any member of the Judiciary, or against any statute unless for the purpose of moving for its repeal.

### **Personal reflections**

**76** All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly.

### **Speaker to intervene**

**77** When any offensive or disorderly words are used, whether by a Member who is addressing the Chair or by a Member who is present, the Speaker shall intervene.

### **Speaker to determine offensive words**

**78** When the attention of the Speaker is drawn to words used, he or she shall determine whether or not they are offensive or disorderly.

### **House will not permit quarrels**

**79** The House will interfere to prevent the prosecution of any quarrel between Members arising out of debates or proceedings of the House or of any committee thereof.

### **No Member to be referred to by name**

**80** No Member may refer to any other Member by name, but only by the name of the electoral division he or she represents.

### **Debate confined to present question—Exceptions**

**81** No Member may digress from the subject matter of any question under discussion:

Provided that—

- (a) on the question for the adjournment of the House or the Main Committee to terminate the sitting, matters irrelevant thereto may be debated, and
- (b) on the motion for the second reading of an Appropriation or Supply Bill, except an Appropriation or Supply Bill for expenditure that is not expenditure for the ordinary annual services of the Government, matters relating to public affairs may be debated.

### **Anticipating discussion**

**82** No Member may anticipate the discussion of any subject which appears on the Notice Paper: Provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the House within a reasonable time.

### **Question may be required to be read**

**83** Any Member may require the question or matter in discussion to be read by the Speaker or Chair at any time during the debate, but not so as to

interrupt a Member speaking: Provided that this standing order shall not apply when the terms of the question or matter have been circulated among Members.

### **Interruption not allowed—Exceptions**

**84** No Member may interrupt another Member whilst speaking, unless (1) to call attention to a point of order or privilege suddenly arising; (2) to call attention to the want of a quorum; (3) to call attention to the presence of strangers; (4) to move a closure motion; or (5) to move “That the business of the day be called on”.

[Sessional order 84A in force for the remainder of the sittings in 2002]

### **Interventions in the Main Committee**

**84A** During consideration of any order of the day in the Main Committee a Member may rise and, if given the call, ask the Chair whether the Member speaking is willing to give way. The Member speaking will either indicate his or her:

- (a) refusal and continue speaking, or
- (b) acceptance and allow the other Member to ask a short question immediately relevant to the Member’s speech—

**Provided that, if, in the opinion of the Chair, it is an abuse of the orders or forms of the House, the intervention may be denied or curtailed.**

### **Irrelevance or tedious repetition**

**85** The Speaker, or the Chair, after having called the attention of the House, or of the Main Committee, to the conduct of a Member, who persists in irrelevance, or tedious repetition either of his or her own arguments, or of the arguments used by other Members in debate, may direct the Member to discontinue his or her speech:

### **Member to be further heard**

Provided that the Member shall have the right to require that the question whether he or she be further heard be put, and thereupon the question shall be put without debate.

## **Matters not open to debate**

### **Matters not open to debate**

**86** The following matters are not open to debate, shall be moved without argument or opinion offered, and shall be forthwith put from the Chair without amendment:

- (a) Question that a Member “be now heard” or “do now speak” (standing order 61);
- (b) Question that a Member be further heard (standing order 85);
- (c) Motion for adjournment of debate (standing order 87);
- (d) Motion for extension of time (standing order 91);
- (e) Question put following declaration of urgency (standing order 92);
- (f) Motion that the question be now put (standing order 93);
- (g) Motion that a Member be not further heard (standing order 94);
- (h) Motion that the business of the day be called on (standing order 107);

- (i) Question that a bill be reported to the House (standing order 234);
- (j) Question that the amendments made by the Main Committee be agreed to (standing order 236);
- (k) Question proposed in relation to a bill reported from the Main Committee that the bill be agreed to (standing orders 236 and 236A);
- (l) Motion that further proceedings on a bill be conducted in the House (standing order 270);
- (m) Motion that a Member be suspended (standing order 304), and
- (n) Motion that strangers be ordered to withdraw (standing order 314).

Should any of these questions be negatived, no similar proposal shall be received if the Speaker or the Chair is of the opinion that it is an abuse of the orders or forms of the House, or is moved for the purpose of obstructing business.

## **Adjournment of debate**

### **Adjournment of debate**

**87** A Member who has not spoken to the question, or who has the right of reply, may move the adjournment of the debate, which question shall be put forthwith and determined without amendment or debate. If the question is resolved in the affirmative, the Speaker shall then put a question to fix the time for the resumption of the debate.

### **Member moving adjournment entitled to call**

**88** The Member, upon whose motion any debate is adjourned by the House, shall be entitled to pre-audience on the resumption of the debate.

### **If motion negatived, mover may speak later**

**89** In the event of a motion for the adjournment of the debate upon any question being negatived, the Member moving the motion for such adjournment may address the House at a later period during such debate.

### **Resumption of interrupted proceedings**

**90** If proceedings be interrupted by a count-out, such proceedings may, on motion after notice, be resumed at the point where they were so interrupted.

## **Time limits for debates and speeches**

### **Time limits**

**91** The maximum period for which a Member may speak on any subject indicated in this standing order, and the maximum period for any debate, shall not, unless otherwise ordered, exceed the period specified opposite to that subject in the following schedule:

<b>Subject</b>	<b>Time</b>
Election of Speaker or Deputy Speaker—	
Each Member .....	5 minutes
Address in Reply—	
Each Member .....	20 minutes

Discussion of definite matter of public importance (under standing order 107)—	
Whole debate.....	2 hours
Proposer.....	15 minutes
Member next speaking.....	15 minutes
Any other Member.....	10 minutes
Question for adjournment of House or Main Committee to terminate the sitting—	
Each Member .....	5 minutes (no extension of time to be granted)
<p>Provided that, if no other Member rises to address the House or the Main Committee, a Member who has already spoken to the motion may speak a second time for a period not exceeding 5 minutes.</p>	
Censure or want of confidence motion accepted by a Minister as provided under standing order 110—	
Mover .....	30 minutes
Prime Minister or one Minister deputed by the Prime Minister .....	30 minutes
Any other Member.....	20 minutes
Limitation of debate—Motion for allotment of time (under standing order 92)—	
Whole debate.....	20 minutes
Each Member .....	5 minutes
Second reading of a bill—	
Main Appropriation Bill for year—	
Mover .....	not specified
Leader of Opposition or one Member deputed by the Leader .....	not specified
Any other Member.....	20 minutes
Other bills (Government)—	
Mover .....	30 minutes
Leader of Opposition or one Member deputed by the Leader .....	30 minutes
Any other Member.....	20 minutes
Other bills (Private Government Member)—	
Mover .....	30 minutes
Prime Minister or one Member deputed by the Prime Minister .....	30 minutes
Leader of Opposition or one Member deputed by the Leader .....	30 minutes
Any other Member.....	20 minutes

Other bills (Opposition or other non-government Member)—	
Mover .....	30 minutes
Prime Minister or one Member deputed by the Prime Minister .....	30 minutes
Any other Member .....	20 minutes
Consideration in detail of a bill—	
Each Member—Unspecified number of periods each not exceeding .....	5 minutes
Consideration of amendments made or requested by the Senate—	
Each Member—Unspecified number of periods each not exceeding .....	5 minutes
Question “That grievances be noted” (under standing order 106)—	
Each Member .....	10 minutes
Proposed resolution relating to tax or duty—	
Mover .....	20 minutes
Leader of Opposition or one Member deputed by the Leader .....	20 minutes
Any other Member .....	10 minutes
Suspension of standing orders (under standing order 399)—	
Whole debate.....	25 minutes
Mover .....	10 minutes
Seconder (if any) .....	5 minutes
Member next speaking.....	10 minutes
Any other Member .....	5 minutes
Debates not otherwise provided for—	
Mover of a motion.....	20 minutes
Any other Member .....	15 minutes
Extension of time—	
With the consent of a majority of the House or of the Committee, to be determined without debate, a Member may be allowed to continue a speech interrupted under the foregoing provisions of this standing order for one period not exceeding .....	10 minutes
Provided that no extension of time shall exceed half of the original period allotted.	

### **Limitation of debate (Guillotine)**

#### **Limitation of debate**

**92** (a) On the reading of a message from the Governor-General recommending an appropriation in connection with any bill, on the calling on of

a motion for leave to introduce a bill or a notice of presentation, on the consideration of any motion preliminary to the introduction of a bill, at any stage of a bill, or on the consideration of Senate amendments or requests for amendments to a bill, a Minister may declare in the House that the bill is an urgent bill, and on such declaration, the question “That the bill be considered an urgent bill” shall be put forthwith—no debate or amendment being allowed—and on such question being agreed to, a Minister may forthwith, or at any time during any sitting of the House, but not so as to interrupt a Member who is addressing the House, move a motion or motions specifying the time which shall be allotted to all or any of the following:

- (i) The initial stages of the bill (including any motion preliminary to the introduction of the bill) up to, but not inclusive of, the second reading of the bill;
- (ii) The second reading of the bill;
- (iii) The consideration in detail of the bill;
- (iv) The remaining stages of the bill;
- (v) The consideration of Senate amendments or requests for amendments to the bill;

and the order with regard to the time allotted to the consideration in detail of the bill may, out of the time allotted, apportion a certain time or times to a particular clause or clauses, or to any particular part or parts of the bill.

### **Tariff resolution**

(b) When a proposed resolution for customs or excise tariff is being considered, a Minister may at any time declare that the proposed resolution is of an urgent nature, and, on such declaration, the question “That the proposed resolution be considered of an urgent nature” shall be put forthwith—no debate or amendment being allowed—and on such question being agreed to, a Minister may forthwith, or at any time during the consideration of the proposed resolution, but not so as to interrupt a Member who is speaking, move a motion specifying the time or times which shall be allotted to any portion or portions of the proposed resolution.

### **Motion**

(c) When any motion of any kind whatsoever has been moved, a Minister may at any time declare that the motion is an urgent motion, and, on such declaration, the question “That the motion be considered an urgent motion” shall be put forthwith—no debate or amendment being allowed—and on such question being agreed to, a Minister may forthwith move a motion specifying the time which shall be allotted to the motion.

### **Motion for allotment of time—debate limited**

(d) Upon such motion or motions with regard to the allotment of time being moved, no debate thereon shall be allowed for more than 20 minutes, and in speaking thereon no Member may exceed five minutes. If the debate is not concluded sooner, then forthwith upon the expiration of that time the Speaker shall put any questions on any amendment or motion already proposed from the Chair.

## **Proceedings brought to conclusion**

(e) For the purpose of bringing to a conclusion any proceedings which are to be brought to a conclusion on the expiration of the time allotted under any motion passed under any of the preceding paragraphs of this standing order, the Speaker or the Chair shall, at the time appointed under the motion for the conclusion of those proceedings, first put forthwith any question already proposed from the Chair and then any other question requisite to dispose of the business before the House or the Main Committee, including, when considering any bill in detail or any Senate amendments or Senate requests for amendments to a bill, any amendments, new clauses and schedules, and modifications, copies of which have been circulated by the Government among Members two hours at least before the expiration of the allotted time. No other amendments, new clauses or schedules, or modifications may be proposed.

## **Where time fixed for commencement of proceedings**

(f) Where any time has been specified for the commencement of any proceedings in connection with any business under this standing order, when the time so specified has been reached the business, whatsoever its nature, then before the House or the Main Committee shall be postponed forthwith, and the first-mentioned business shall be proceeded with, and all steps necessary to enable this to be done shall be taken accordingly.

## **Closure of question not to apply**

(g) Standing order 93 shall not apply to any proceedings in respect of which time has been allotted in pursuance of this standing order.

## **Closure**

### **Closure of question**

**93** After any question has been proposed from the Chair, either in the House or in the Main Committee, a motion may be made by any Member, rising in his or her place, and without notice, and whether any other Member is addressing the Chair or not, "That the question be now put", and such motion shall be put forthwith without amendment or debate.

### **Closure of Member**

**94** A motion may be made that a Member who is speaking, except a Member giving a notice of motion or formally moving the terms of a motion allowed under the standing orders, "be not further heard", and such question shall be put forthwith and decided without amendment or debate.

## **Privilege**

### **Privilege**

**95** Any Member may rise at any time to speak upon a matter of privilege suddenly arising, and he or she shall be prepared to move, without notice, a motion declaring that a contempt or breach of privilege has been committed, or referring the matter to the Committee of Privileges; but if a matter related to the

proceedings of the Main Committee is raised in the Main Committee, the Chair shall suspend the proceedings and report to the House at the first opportunity.

### **Precedence to matter of privilege**

**96** A matter of privilege at any time arising shall, until disposed of, or unless the debate on a motion thereon is adjourned, suspend the consideration and decision of every other question: Provided that precedence over other business shall not be given to any motion if, in the opinion of the Speaker, a *prima facie* case of breach of privilege has not been made out or the matter has not been raised at the earliest opportunity.

### **Complaint against newspaper, book, etc.**

**97** Any Member complaining to the House of a statement in a newspaper, book or other publication as a breach of privilege shall produce a copy of the newspaper, book or other publication containing the statement in question, and shall be prepared to give the name of the printer or publisher.

### **Privilege matter raised when House not sitting**

**97A** During a period when the House is not sitting and is not expected to meet for a further period of at least two weeks, a Member may bring to the attention of the Speaker a matter of privilege which has arisen since the House last met and which he or she proposes should be referred to the Committee of Privileges. If the Speaker is satisfied that a *prima facie* case of breach of privilege has been made out and the matter is one upon which urgent action should be taken, the Speaker shall refer it forthwith to the Committee of Privileges:

Provided that any referral by the Speaker in accordance with the foregoing provisions of this standing order shall be reported to the House by the Speaker at its next sitting whereupon the Member who raised the matter shall be required to move forthwith, without notice, that such referral be endorsed by the House; if the motion is negatived, the Committee of Privileges shall take no further action in respect of the matter.

## **Point of order and Speaker's ruling**

### **Point of order**

**98** Any Member may at any time raise a point of order which shall, until disposed of, suspend the consideration and decision of every other question.

### **Proceedings on question of order**

**99** Upon a question of order being raised, the Member called to order shall resume his or her seat, and, after the question of order has been stated to the Speaker by the Member rising to the question of order, the Speaker shall give a ruling thereon.

### **Objection to ruling of Speaker**

**100** If any objection is taken to any ruling of the Speaker, such objection must be taken at once, and a motion of dissent, to be submitted in writing, moved, which, if seconded, shall be proposed to the House, and debate thereon shall proceed forthwith.

CHAPTER VIII  
**BUSINESS**  
**Notice Paper**

**Notice Paper**

**100A** All business before the House shall be set down on the Notice Paper in accordance with the standing or sessional orders and the Notice Paper shall be published.

**Routine of business**

**Routine of business**

**101** The House shall proceed on the days indicated with its ordinary business in the following routine:

*Monday*

1. Presentation of, and statements on, reports from parliamentary committees and delegations. 2. Orders of the day for the resumption of debate on motions moved in connection with committee and delegation reports. 3. Private Members' business (debate to be interrupted at 1.45 p.m.). 4. Members' statements (at approximately 1.45 p.m.). 5. Questions without notice (at 2 p.m.). 6. Presentation of petitions. 7. Private Members' business (in continuation for 1 hour). 8. Grievance debate (debate to continue for 1 hour and 20 minutes). 9. Notices and orders of the day.

*Tuesday*

1. Questions without notice. 2. Presentation of papers. 3. Ministerial statements, by leave. 4. Matter of public importance. 5. Notices and orders of the day.

*Wednesday and Thursday*

1. Notices and orders of the day. 2. Questions without notice (at 2 p.m.). 3. Presentation of papers. 4. Ministerial statements, by leave. 5. Matter of public importance. 6. Notices and orders of the day.

**Interruption for question period**

**101A** At 2 p.m. on each sitting Monday, Wednesday and Thursday the Speaker shall interrupt the business before the House in order that questions without notice can be called on:

Provided that:

- (a) if a division is in progress at the time fixed for interruption, the division shall be completed and the result announced; and
- (b) the Speaker shall fix the time for the resumption of the debate on any business under discussion and not disposed of at the time of interruption.

**Committee and delegation reports**

**Presentation of reports and papers**

**102** Reports of standing and select committees and papers may be presented at any time when other business is not before the House.

### **Committee and delegation reports**

**102A** Following Prayers each sitting Monday, parliamentary committee and delegation reports may be presented in the order determined by the Selection Committee.

### **Statements on committee and delegation reports**

**102B** Upon presentation of a report of a parliamentary committee or delegation pursuant to standing order 102A, the Member presenting the report and other Members, subject to any determination of the Selection Committee, may be accorded priority in making a statement to the House for a period not exceeding 10 minutes each and a specific motion in connection with the report may be moved without notice by the Member presenting it. The debate on the question shall then be adjourned until a future day.

### **Precedence to motions regarding committee and delegation reports**

**102C** Following the presentation of reports pursuant to standing order 102A, the resumption of proceedings on motions relating to committee and delegation reports shall have precedence according to the order of priority and times allotted for debate determined by the Selection Committee, each Member speaking for a period not exceeding 10 minutes or any lesser period determined by the Selection Committee.

## **New business**

### **New business**

**103** No new business may be taken after 9.30 p.m., unless the House otherwise orders.

## **Private Members' business**

### **Precedence to government and private Members' business**

**104** Government business shall, on each day of sitting, have precedence of private Members' business except on each sitting Monday as provided by standing order 101.

At the conclusion of grievance debate the Speaker shall put forthwith and successively, without further debate or amendment, any questions on which a division had been called for earlier in the day, and which had been deferred pursuant to standing order 193.

### **Private Members' business—procedure**

**104A** In the period during which private Members' business is accorded precedence pursuant to standing order 104, notices and orders of the day relating to private Members' business shall be called on by the Clerk in the order in which they appear on the Notice Paper. When the time allotted by standing order 102C or 104, or by the Selection Committee, for an item of business has expired, consideration shall be interrupted by the Chair and the question before the Chair shall be put:

Provided that, where the Selection Committee has determined that consideration of a matter should continue on a future day, at the time fixed for interruption, the Chair shall interrupt proceedings and further consideration of the matter shall be set down on the Notice Paper for the next sitting.

Notices by private Members of their intention to present bills shall stand referred to the Selection Committee which shall give priority to them over other notices and orders of the day and determine the order in which they are to be presented. Upon the respective notice being called on by the Clerk, the Member in whose name the notice stands shall present the bill and may speak for a period not exceeding five minutes in support thereof. The bill shall then be read a first time and the motion for the second reading shall be set down on the Notice Paper for the next sitting.

If the motion for the second reading of any private Member's bill is agreed to by the House, further consideration shall be accorded precedence of other private Members' business and the Selection Committee may allot times for consideration of the remaining stages of the bill.

### **Withdrawal of private Members' business**

**104B** Any private Members' business not called on or any private Members' business the consideration of which has been interrupted pursuant to standing order 104A and not re-accorded priority by the Selection Committee, on any of the next eight sitting Mondays, shall be removed from the Notice Paper by the Clerk.

## **Government business**

### **Order of government business**

**105** Ministers may arrange the order of their notices and orders of the day on the Notice Paper as they think fit.

### **Grievance debate and statements by Members**

#### **Grievance debate**

**106** Notwithstanding standing order 105, the first order of the day, government business, on each sitting Monday following the conclusion of private Members' business shall be a question to be proposed by the Speaker, "That grievances be noted" to which question any Member may address the House or move any amendment.

If consideration of the question has not been concluded after 1 hour and 20 minutes, the debate thereon shall be interrupted and the Speaker shall put any questions then before the House, and after resolution of those questions, shall forthwith call on the next order of the day, government business.

#### **Statements by Members**

**106A** At 1.45 p.m. on each sitting Monday the Speaker shall interrupt private Members' business in order that statements by Members can be called on. A Member, other than a Minister, may be called by the Chair to make a statement for a period not exceeding 90 seconds. The period allowed for these statements shall not extend beyond 2 p.m.

## **Matter of public importance**

### **Discussion of matter of public importance**

**107** A Member may propose to the Speaker that a definite matter of public importance be submitted to the House for discussion. The Member proposing the matter shall present to the Speaker not later than 12 noon on each sitting day on which a matter may be discussed a written statement of the matter proposed to be discussed; and if the Speaker determines that it is in order, the Speaker shall read it to the House. The proposed discussion must be supported by eight Members, including the proposer, rising in their places as indicating approval. The Speaker shall then call upon the Member who had proposed the matter to speak.

### **Motion to call on business of the day**

At any time during the discussion, a motion may be made by any Member “That the business of the day be called on” and such motion shall be put forthwith and decided without amendment or debate, and, if agreed to, the business of the day shall be proceeded with immediately. A motion under standing order 87 or standing order 93 will not be in order.

### **Speaker to decide priority**

In the event of more than one matter being presented for the same day, priority shall be given to the matter which, in the opinion of the Speaker, is the most urgent and important, and no other proposed matter shall be read to the House that day.

## **Matter of special interest**

### **Motion to discuss special matter**

**108** At any time when other business is not before the House a Minister may indicate to the House that it is proposed to discuss a matter of special interest on which it is not desired to formulate a motion in express terms. The Minister may then move a motion specifying the time to be allotted to the debate. The Minister shall then move “That the (stating subject matter) be considered by the House”. A Minister may withdraw the motion, without leave, at the expiration of the time allotted to the debate.

### **General business—priority to notices**

**109** [ [ [ [

### **Censure or want of confidence motion or amendment**

#### **Precedence to censure or want of confidence motion or amendment**

**110** A motion of which notice has been given or an amendment which expresses a censure of or want of confidence in the Government and is accepted by a Minister as a censure or want of confidence motion or amendment shall, until it is disposed of by the House, take precedence of all other business.

## Leave of the House or Committee

### Leave

**111** Leave of the House or Committee must be granted without any dissentient voice.

### CHAPTER IX

## PETITIONS

### Preparing a petition

#### What must be in a petition

**112** A petition for presentation to the House must:

- (a) be addressed to the House of Representatives;
- (b) refer to a matter which is within the power of the House of Representatives to address, that is, a Commonwealth legislative or administrative matter;
- (c) state the facts which the petitioners wish to bring to the notice of the House; and
- (d) contain a request for the House or the Parliament to take one or more specified actions.

#### How a petition should be prepared

**113** A petition must conform to the following requirements:

- (a) It must be on paper.
- (b) It must be legible.
- (c) It must be in the English language or be accompanied by a translation certified to be correct. The person certifying the translation must place his or her name and address on the translation.
- (d) The text of the petition must not contain any alterations.
- (e) It must not have any letters, affidavits or other documents attached to it.
- (f) The language used must be respectful, courteous and moderate. The petition should not contain irrelevant statements.
- (g) It must not contain any indication that it has been sponsored or distributed by a Member of the House of Representatives; except that, for the purpose of facilitating the lodgment of the petition, the name and address of a Member may be shown as an address to which the petition may be sent for presentation to the House.
- (h) A petition from a corporation should be made under its common seal. Otherwise it will be received as the petition of the individuals who signed it.

#### Rules about signatures

**114** Every petition must contain the signature and address of at least one person on the page on which the terms of the petition are written.

All the signatures on a petition must meet the following requirements:

- (a) Every signature must be written on a page bearing the terms of the petition, or the action requested by the petition. Signatures must not be copied,

pasted or transferred on to the petition nor should they be placed on a blank page on the reverse of a sheet containing the terms of the petition.

(b) Each signature must be made by the person signing in his or her own handwriting. A petitioner who is not able to sign must make a mark in the presence of a witness. The witness must sign the petition as witness and write his or her address, and the name and address of the petitioner.

## **Presentation to the House**

### **Only a Member may lodge a petition for presentation**

**115** A petition for presentation to the House may only be lodged by a Member. A Member cannot lodge a petition from herself or himself.

### **Responsibilities of Members**

**116** Before lodging a petition with the Clerk or presenting a petition to the House a Member must:

(a) write his or her name and electoral division at the beginning of the petition; and

(b) count the signatories and write the number of signatories at the beginning of the petition.

### **Presenting a petition**

**117** Petitions may be presented to the House in one of the following ways:

(a) In accordance with standing order 101, the Clerk must announce each sitting Monday petitions lodged for presentation. Members must lodge petitions with the Clerk by 12 noon on the Friday prior to the Monday on which it is proposed that they be presented.

(b) A Member may present a petition during the period of Members' statements under standing order 106A or 275A.

(c) A petition which refers to a motion or order of the day may be presented by a Member when that motion or order of the day is moved or called on for the first time.

Before presenting a petition under paragraph (b) or (c) the Member presenting it must insert the information required by standing order 116 and obtain a certification by the Clerk that it complies with the standing orders.

### **Responsibilities of the Clerk**

**118** (a) The Clerk or the Deputy Clerk must check that each petition lodged for presentation complies with the standing orders. If it does he or she shall certify the fact on the petition.

(b) The Clerk must make an announcement to the House of the petitions lodged for presentation. The announcement must indicate, for each petition, the Member who lodged it, the identity and number of petitioners and the subject matter of the petition.

## **Action on petitions**

### **Action by the House**

**119** (a) No discussion on the subject matter of a petition is allowed at the time of presentation.

(b) Every petition presented is deemed to have been received by the House unless a motion that it not be received is moved immediately and agreed to.

(c) No other motion may be moved in connection with a petition except a motion that a particular petition be:

- (i) referred to a particular committee; or
- (ii) printed. This motion may only be moved by a Member who intends to take action on the petition and informs the House of the action he or she intends to take.

### **Other action**

**120** The following action shall be taken in respect of every petition received by the House:

(a) Its terms must be printed in Hansard.

(b) The Clerk must refer a copy of the petition to the Minister responsible for the administration of the matter which is the subject of the petition. A Minister may respond to a petition by lodging a written response with the Clerk. At the end of the petitions announcement the Clerk must report any response received and the response must be printed in Hansard.

### **To be received only as from the persons signing**

**121** [ [ [ [ [

### **Petitions from corporations**

**122** [ [ [ [ [

### **No documents to be attached**

**123** [ [ [ [ [

### **No reference to debates**

**124** [ [ [ [ [

### **Petitions must be respectful**

**125** [ [ [ [ [

### **Must be lodged by a Member**

**126** [ [ [ [ [

### **Member to affix name, electoral division and number of signatories**

**127** [ [ [ [ [

### **Standing orders to be observed**

**128** [ [ [ [ [

### **Clerk to announce particulars of petitions lodged**

**129** [ [ [ [ [

### **Petitions deemed to have been received**

**130** [ [ [ [ [

### **Restrictions on printing**

**131** [ [ [ [ [

## **Petitions referred to Ministers; Minister's response**

132 [ [ [ [

### CHAPTER X

## **NOTICES OF MOTION**

### **Notice of motion—how given**

**133** Notice of motion shall be given by a Member by—

- (a) delivering its terms in writing to the Clerk at the Table, or
- (b) stating its terms to the House during the period of Members' statements made under standing order 106A and delivering its terms in writing to the Clerk at the Table.

The notice must be signed by the Member and seconder and show the day proposed for moving the motion.

A notice of motion given by a Member in accordance with paragraph (a) which expresses a censure of, or want of confidence in the Government, or a censure of any Member, shall be reported to the House by the Clerk at the first convenient opportunity.

### **Notice given for an absent Member**

**134** A Member, in the absence of another Member and at his or her request, may give a notice of motion for that other Member and shall put the name of such Member and his or her own signature on the notice.

### **Order of notices**

**135** Subject to the provisions of standing orders 105, 133, 211 and 331 the notices shall be entered by the Clerk on the Notice Paper, in priority of orders of the day, in the order in which they were received:

Provided that:

- (a) private Members' business notices shall be entered on the Notice Paper in such an order that, as far as possible, priority shall alternate between opposition or other non-government Members and government Members, and
- (b) two notices received from the same Member shall not be placed consecutively in priority of a notice received from another Member during the same sitting.

### **Notice may be divided**

**136** If a notice of motion is given which contains matters not relevant to each other, the Speaker may instruct the Clerk to divide such notice into two or more notices.

### **Unbecoming notice amended**

**137** Any notice of motion containing unbecoming expressions, or which offends against any standing order of the House, shall be amended by the Speaker before it appears on the Notice Paper.

### **Postponement of motion**

**138** A Member who has given notice of motion may change the day proposed for moving the motion to a day subsequent to that first named by notifying the Clerk in writing prior to the calling on of the motion. The change of day shall be reported to the House by the Clerk at the first convenient opportunity.

### **Terms of notice altered**

**139** A Member who has given a notice of motion may alter its terms by notifying the Clerk in writing within such time as will enable the alteration to be made in the Notice Paper.

### **Withdrawal of notice**

**140** A Member who has given a notice of motion may withdraw the notice by notifying the Clerk in writing at any time prior to that proposed for moving the motion.

### **Operation of notice**

**141** A notice of motion becomes effective only when it appears on the Notice Paper.

## CHAPTER XI

### **QUESTIONS SEEKING INFORMATION**

#### **Questions to Ministers**

**142** Questions may be put to a Minister relating to public affairs with which the Minister is officially connected, to proceedings pending in the House, or to any matter of administration for which the Minister is responsible. Questions may be asked orally without notice for immediate reply or in writing on notice and placed on the Notice Paper for written reply.

#### **Questions to other Members**

**143** Questions may be put to a Member, not being a Minister or an Assistant Minister, relating to any bill, motion, or other public matter connected with the business of the House, of which the Member has charge.

#### **Rules for questions**

**144** The following general rules shall apply to questions:

Questions cannot be debated.

Questions should not contain—

- (a) statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated;
- (b) arguments;
- (c) inferences;
- (d) imputations;
- (e) epithets;
- (f) ironical expressions; or
- (g) hypothetical matter.

Questions should not ask Ministers—

- (a) for an expression of opinion;
- (b) to announce the Government's policy, but may seek an explanation regarding the policy of the Government and its application and may ask the Prime Minister whether a Minister's statement in the House represents government policy; or
- (c) for legal opinion.

Questions cannot refer to—

- (a) debates in the current session; or
- (b) proceedings in committee not reported to the House.

Questions cannot anticipate discussion upon an order of the day or other matter.

### **Answer to be relevant**

**145** An answer shall be relevant to the question.

### **Questions answered**

**146** A question fully answered cannot be renewed.

### **Alteration of question**

**147** The Speaker may direct that the language of a question be changed if it seems to the Speaker unbecoming or not in conformity with the standing orders of the House.

### **Question on notice**

**148** A Member shall submit a question on notice to the Clerk in sufficient time, in the opinion of the Speaker, to enable it to be published in the next issue of the Notice Paper. The question shall be in writing and signed by the Member.

### **Order of questions**

**149** The Clerk shall place notices of questions on the Notice Paper in the order in which they were received by the Clerk.

### **Replies to questions**

**150** The reply to a question on notice shall be given by delivering it to the Clerk. A copy of the reply shall be supplied to the Member who asked the question, and the question and reply shall be published in Hansard.

If after the expiration of 60 days of a question first appearing on the Notice Paper, a reply has not been delivered to the Clerk, the Member who asked the question may rise in his or her place at the conclusion of the question period and request the Speaker to write to the Minister concerned, seeking reasons for the delay in answering.

### **Questions without notice—Supplementary questions**

**151** Questions may be asked without notice. At the discretion of the Speaker supplementary questions may be asked to elucidate an answer.

### **Questions to Speaker**

**152** At the conclusion of the question period, questions without notice may be put to the Speaker relating to any matter of administration for which he or she is responsible.

### **Questions regarding persons**

**153** Questions shall not be asked which reflect on or are critical of the character or conduct of those persons whose conduct may only be challenged on a substantive motion, and notice must be given of questions critical of the character or conduct of other persons.

## **CHAPTER XII**

### **MOTIONS, QUESTIONS, VOTES AND RESOLUTIONS**

#### **No motion without previous notice**

**154** No Member may, except by leave of the House, or unless it be otherwise provided by the standing orders, move any motion except in pursuance of notice appearing on the Notice Paper.

#### **Precedence of motions**

**155** Motions shall have precedence of each other according to the order in which they appear on the Notice Paper. A motion may be postponed on motion without notice moved by the Member who gave notice of the motion.

#### **Motions not called on**

**156** If, at the adjournment of the House, any motions on the Notice Paper have not been called on, such motions shall be set down on the Notice Paper for the next sitting day, after the motions of which notice for that day has been given.

#### **Precedence to vote of thanks or of condolence**

**157** Precedence will be ordinarily given by courtesy to a motion for a vote of thanks of the House or of condolence.

#### **Member absent when motion called on**

**158** If a Member is not in his or her place when the notice of motion given by the Member is called on, it shall be withdrawn from the Notice Paper, unless another Member, at the request of the Member who gave the notice of motion, thereupon fixes a future time for moving the motion.

#### **Member failing to move**

**159** If a Member, when the notice of motion given by him or her is called on, fails to rise and move the motion, it shall be withdrawn from the Notice Paper unless the Member thereupon fixes a future time for moving the motion.

#### **Motion not seconded**

**160** Except as otherwise provided, a motion not seconded may not be further discussed and no entry thereof shall be made in the Votes and Proceedings.

**Question proposed by the Speaker**

**161** When a motion has been moved and seconded, a question thereupon shall be proposed to the House by the Speaker.

**Restrictions on withdrawal of motions**

**162** After a motion has been proposed from the Chair, it shall be deemed to be in the possession of the House, and cannot be withdrawn without leave.

**Anticipation of business**

**163** A matter on the Notice Paper must not be anticipated by another matter contained in a less effective form of proceeding.

**Motion withdrawn, again moved**

**164** A motion which has been superseded, or by leave of the House, withdrawn, may be moved again during the same session.

**Question put**

**165** As soon as the debate upon a question has been concluded, the Speaker shall put the question to the House.

**Division of complicated question**

**166** The House or the Main Committee may order a complicated question to be divided.

**Question determined by majority of voices**

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

**Speaker states result**

**168** The Speaker shall state whether, in his or her opinion, the "Ayes" or the "Noes" have it; and if the Speaker's opinion be challenged the question shall be decided by division.

**Same question may be disallowed**

**169** Subject to the provisions of standing order 233, the Speaker or the Chair may, in his or her discretion, disallow any motion or amendment which is the same in substance as any question, which, during the same session, has been resolved in the affirmative or negative.

**Resolution or vote rescinded**

**170** A resolution, or other vote of the House, may be read and rescinded; but no such resolution or other vote may be rescinded during the same session, unless seven days' notice be given: Provided that to correct irregularities or mistakes one day's notice shall be sufficient, or the corrections may be made at once by leave of the House.

CHAPTER XIII  
AMENDMENTS

**Different forms of amendments**

**171** A question having been proposed may be amended (1) by omitting certain words only; (2) by omitting certain words in order to insert or add other words; or (3) by inserting or adding words.

**Amendments to be in writing**

**172** An amendment to any motion before the House must, for purposes of record, be in writing and be signed by the mover and seconder.

**Relevancy of amendment**

**173** Every amendment must be relevant to the question which it is proposed to amend.

**Amendments in House must be seconded**

**174** An amendment moved, but not seconded, shall not be entertained by the House, nor entered in the Votes and Proceedings.

**Amendment to omit words**

**175** When the proposed amendment is to omit certain words, the Speaker shall put a question, "That the words proposed to be omitted stand part of the question".

**Amendment to omit words, and insert or add others**

**176** When the proposed amendment is to omit certain words in order to insert or add other words, the Speaker shall put a question "That the words proposed to be omitted stand part of the question", which, if resolved in the affirmative, shall dispose of the amendment; but if in the negative, another question shall be put, that the words of the amendment be inserted or added instead of the words which are omitted.

**Amendment to insert or add words**

**177** When the proposed amendment is to insert or add certain words, the Speaker shall put a question, that such words be inserted, or added.

**Alternative form of question**

**178** If no Member objects, the Speaker may put a question "That the amendment be agreed to" in place of the question or questions stated in standing orders 175, 176 and 177.

**Inconsistent amendment not to be moved**

**179** No amendment shall be moved which is inconsistent with a previous decision on the question.

**No amendment of earlier part**

**180** No amendment may be moved to any part of a question after a later part has been amended, or after a question has been proposed on an amendment thereto, unless the proposed amendment has, by leave of the House, been withdrawn.

### **No amendment to words already agreed to**

**181** No amendment may be moved to any words which the House has resolved shall stand part of a question, or which have been inserted in, or added to, a question, except it be in the addition of other words thereto.

### **Order of moving amendments**

**182** An amendment proposed shall be disposed of before another amendment to the original question can be moved.

### **Proposed amendment withdrawn**

**183** A proposed amendment may, by leave, be withdrawn.

### **Amendments to proposed amendments**

**184** Amendments may be moved to a proposed amendment as if such proposed amendment were an original question.

### **Amendment to words proposed to be substituted**

**185** When it is moved to omit words in the main question, in order to insert or add others, no amendment to the words proposed to be inserted or added can be received until the question that the words proposed to be omitted stand part of the main question has been determined.

### **Question as amended put**

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

### **When amendments moved but not made**

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

## CHAPTER XIV

### **ORDERS OF THE DAY**

#### **Order of the day defined**

**188** An order of the day is a bill or other matter which the House has ordered to be taken into consideration on a particular day.

#### **Precedence of orders of the day—Order postponed by request**

**189** Orders of the day shall have precedence of each other according to the order in which they appear on the Notice Paper. An order of the day may be postponed on motion without notice moved by the Member in charge thereof, or, in the Member's absence, by another Member at his or her request.

#### **Orders of day not called on**

**190** If, at the adjournment of the House, any orders of the day on the Notice Paper have not been called on, such orders of the day shall be set down on the Notice Paper for the next sitting day at the end of the orders set down for that day.

## **Order discharged**

**191** On an order of the day being read, it may, on motion without notice moved by the Member in charge thereof, be discharged.

## CHAPTER XV

## **DIVISIONS**

### **Division called for**

**192** Whenever the Speaker states, on putting a question, that the “Ayes” or the “Noes” (as the case may be) have it, his or her opinion may be challenged by Members calling for a division.

### **When division may be taken**

**193** A division shall not be proceeded with unless more than one Member has called for a division. If one Member only calls for a division, that Member may inform the Speaker that he or she wishes his or her dissent to be recorded in the Votes and Proceedings and in Hansard and the Member’s dissent shall be so recorded:

Provided that, on sitting Mondays, any division called for in the House on a question, other than a motion moved by a Minister, prior to questions without notice being called on or during presentation of petitions or private Members’ business, shall stand deferred until the grievance debate has concluded or been postponed.

Provided also that, on sitting Mondays and Tuesdays, any division called for in the House between the hours of 6.30 p.m. and 8 p.m. on a question, other than a motion moved by a Minister, shall stand deferred until 8 p.m.

### **in accordance with voice**

**194** Every Member shall vote in accordance with his or her voice (either “Aye” or “No”) and the vote shall be so recorded.

### **Members calling for division**

**195** Members calling for a division shall not leave the area within the seats allotted to Members, and shall vote with those who, in the opinion of the Speaker, were in the minority when the voices were taken.

### **No Member to vote if pecuniarily interested**

**196** No Member shall be entitled to vote in any division upon a question (not being a matter of public policy) in which he or she has a direct pecuniary interest not held in common with the rest of the subjects of the Crown. The vote of a Member may not be challenged except on a substantive motion moved immediately after the division is completed, and the vote of a Member determined to be so interested shall be disallowed.

### **No Member to vote unless present when tellers appointed**

**197** No Member shall be entitled to vote in any division unless, when the tellers are appointed, the Member is within the seats allotted to Members. Except that when a successive division is taken pursuant to standing order 203A, this standing order does not apply.

### **Strangers withdraw**

**198** Previously to any division, Senators and strangers shall, if ordered, withdraw from the Chamber.

### **Division bells rung**

**199** Before a division is taken, the Clerk shall ring the division bells and the doors shall not be closed until after the lapse of four minutes.

### **Doors locked after 4 minutes**

**200** The doors shall be closed and locked after the lapse of four minutes, and then no Member may enter or leave the Chamber until after the division.

### **Successive divisions**

**200A** [ [ [ [

### **Question stated—Members divided—tellers appointed**

**201** When the doors have been locked, and all the Members are in their places, the Speaker shall state the question to the House, shall direct the “Ayes” to proceed to the right of the Chair, and the “Noes” to the left, and Members having accordingly taken seats, shall appoint tellers for each side.

### **Members present when tellers appointed must vote**

**202** On the tellers being appointed, every Member within the seats allotted to Members shall vote and no Member may move from his or her place until the result of the division is announced. Except that when a successive division is taken pursuant to standing order 203A, this standing order does not apply.

### **Members counted, names taken down**

**203** Every Member within the seats allotted to Members shall then be counted, and his or her name taken down by the tellers. When recording is complete the tellers shall calculate the total number of Members voting on that side. Tellers shall sign their list, and present it to the Speaker, who will declare the result to the House.

### **Successive divisions—bells rung, tellers appointed**

**203A** When successive divisions are taken, and there is no intervening debate after the first division, the bells for the ensuing division shall be rung for one minute only. Notwithstanding the provisions of standing order 201, the Speaker shall appoint tellers immediately after the division is called.

### **Successive divisions—vote same as in previous division**

**203B** When a successive division is taken pursuant to standing order 203A the tellers shall record each Member’s vote as being the same as it was in the immediately preceding division.

Provided that any Member who—

- (i) wishes to vote differently to the way he or she voted in the previous division; or
- (ii) voted in the previous division and does not wish to vote in the current division; or

(iii) did not vote in the previous division and wishes to vote in the current division—

shall report to the tellers as necessary to have his or her voting intention properly recorded. Members who wish to vote in the same way as they did in the immediately preceding division shall remain in their seats until the result of the division is announced.

Provided further that, if it is apparent to the Speaker that most Members wish to vote differently to the previous division, or if there is any confusion or error in the numbers calculated by the tellers, the vote shall be counted as provided in standing order 203.

#### **If 4 or fewer Members on a side**

**204** If, at the time that the doors are locked, there are 4 or fewer Members on a side in a division, the Speaker shall, without completing the division, forthwith declare the decision of the House. In such event, the names of the Members who are in the minority shall be recorded in the Votes and Proceedings.

#### **Point of order during division**

**205** While the House is dividing Members may speak, sitting, to a point of order arising out of or during the division.

#### **Decision on point of order during division**

**206** Should a point of order arise during a division it shall be decided by the Speaker.

#### **Division list recorded**

**207** Lists of divisions in the House shall be recorded by the Clerk in the Votes and Proceedings.

#### **In case of error House again divides**

**208** In case of confusion or error concerning the numbers reported, unless the same can be otherwise corrected, the House shall proceed to another division.

#### **Mistakes corrected in records**

**209** If complaint be made to the House that a division has been inaccurately reported, the Speaker may cause the record to be corrected.

#### **Speaker's reasons for casting vote**

**210** Any reasons stated by the Speaker for his or her casting vote shall be entered in the Votes and Proceedings.

## CHAPTER XVI

### BILLS

#### Initiation

##### Initiation of bills

**211** (a) A bill (unless received from the Senate) shall be initiated by a motion for leave to bring in a bill specifying its title, by an order of the House, on the calling on of a notice of presentation, or in accordance with the provisions of standing order 291.

##### Notice of presentation—how given

(b) Notice of intention to present a bill shall be given by a Member by either:

- (i) delivering its terms in writing to the Clerk at the Table; or
- (ii) stating its terms to the House during the period of Members' statements made under standing order 106A and delivering its terms in writing to the Clerk at the Table.

##### Form of

(c) A notice of intention to present a bill shall specify its title and the day for presentation, and shall be signed by the Member and, at least, one other Member.

##### Application of standing orders

(d) The standing orders shall, to the necessary extent, be applied and read as if a notice of presentation were a notice of motion.

##### Fair copy to be presented

**212** A Member bringing in a bill shall present to the House a fair copy signed by the Member.

##### Title—Clauses to come within title

**213** The title shall agree with the order of leave or the notice of presentation, and no clause may be included in any bill not coming within its title.

##### Irregular bill to be withdrawn

**214** Every bill not prepared according to the standing orders of the House shall be ordered to be withdrawn.

#### First reading

##### First reading

**215** On the presentation of a bill by a Member, or on the receipt from the Senate of a bill for the concurrence of the House, it shall be read a first time without any question being put.

##### Title only read

**216** On every order for the reading of a bill, the title only shall be read.

## Second reading

### Second reading and explanatory memorandum

**217** After the first reading a future day shall be appointed for the Member to move “That this bill be now read a second time” and the bill shall meanwhile be printed:

Provided that if copies of the bill have been circulated among Members the second reading may be moved immediately after the bill has been read a first time. The debate on the question shall then be adjourned to a future day.

In the case of a bill presented by a Minister other than an Appropriation or Supply Bill, an explanatory memorandum signed by the Minister and including an explanation of the reasons for the bill shall be presented to the House at the conclusion of the Minister’s speech on moving the second reading.

### Reference to Main or other committee

**217A** At least seven days after the first reading and before the resumption of debate on the motion “That this bill be now read a second time”, a motion may be moved without notice “That this bill be referred to the Main Committee for the remainder of the second reading and consideration in detail stages” or “That the bill be referred to the [*here insert title of committee*] for consideration and an advisory report”. A motion to refer a bill to a committee for an advisory report may specify a date by which the committee is to report to the House:

Provided that, in the case of bills presented by Ministers:

- (a) a Minister may present a list of bills proposed to be referred to the Main Committee or other committees and move without notice either immediately or at a later time “That the bills be referred to committee(s) in accordance with the list”; and
- (b) the bills referred to the Main Committee may be considered by it after details of the reference have been published in the Notice Paper.

### Reference to Main Committee after advisory report presented

**217B** When a bill has been referred to a committee for an advisory report, and the committee’s report has been presented to the House, the bill may be referred to the Main Committee for the remainder of the second reading and consideration in detail stages in accordance with standing order 217A.

### Cognate bills

**217C** [ [ [ [

### Subsequent proceedings on bills not referred to Main Committee

**217D** All stages of bills not referred to the Main Committee shall be considered in the House.

### Second reading moved immediately if bill circulated

**218** [ [ [ [

### Amendment to second reading

**219** An amendment may be moved to the question “That the bill be now read a second time” by omitting “now” and adding “this day six months”, which,

if carried, shall finally dispose of the bill. No amendment may be moved to this amendment.

### **Amendments to be relevant—Exception**

**220** No other amendment may be moved to such question except in the form of an amendment relevant to the bill, which does not anticipate an amendment which may be moved during consideration in detail and does not propose the addition of words to the question: Provided that an amendment relating to public affairs may be moved to the question for the second reading of an Appropriation or Supply Bill, except an Appropriation or Supply Bill for expenditure that is not expenditure for the ordinary annual services of the Government.

## **Proceedings following second reading**

### **Proceedings following second reading**

**221** Immediately after the second reading:

#### **Message**

(a) a message recommending an appropriation in connection with the bill may be announced;

#### **Reference to select committee**

(b) a motion “That this bill be referred to a select committee” may be moved, and

#### **Instruction**

(c) an instruction of which notice has been given may be moved. (*see S.O.s 299–302*)

## **Consideration in detail**

### **Consideration in detail unless—**

**222** After the second reading, or when proceeding under standing order 221, after those proceedings have been disposed of, the House or the Main Committee, as appropriate, shall forthwith consider the bill in detail unless—

- (a) the bill has been referred to a select committee in accordance with standing order 221, or
- (b) if the bill is being considered in the House, the House grants leave for the question “That this bill be now read a third time” to be moved forthwith, or
- (c) if the bill is being considered in the Main Committee, the Committee grants leave for the question “That this bill be reported to the House without amendment” to be put forthwith.

### **Bill reported by select committee**

**223** When a bill has been referred to a select committee and reported, a time shall be fixed on a motion without notice of the Member in charge of the bill for the consideration in detail of the bill as reported. The motion shall specify whether the bill is to be considered by the House or the Main Committee.

### **Restriction on reference to select committee**

**224** No motion for referring a bill to a select committee may be moved after consideration in detail of the bill has been completed.

### **Title and preamble stand postponed**

**225** For consideration in detail the title and the preamble stand postponed without question proposed, and the clauses shall be considered in their order, a question being proposed by the Chair on each clause “That the clause be agreed to”. The words of enactment at the head of the bill shall not be put to the House or the Main Committee.

### **Order in considering bill**

- 226** The following order shall be observed in considering a bill in detail:
1. Clauses as printed and new clauses, in their numerical order.
  2. Schedules as printed and new schedules, in their numerical order.
  3. Postponed clauses (not having been specially postponed until after certain other clauses).
  4. Preamble.
  5. Title.

Provided that—

- (a) in considering an Appropriation or Supply Bill, any schedule expressing the services for which the appropriation is to be made shall be considered before the clauses and, unless the House otherwise orders, that schedule shall be considered by proposed expenditures in the order in which they are shown;
- (b) in considering a bill to impose taxation, any schedule shall be considered before the clauses; and
- (c) in considering an amending bill, the schedules shall be considered in their numerical order before the clauses. When such a schedule is considered, items within the schedule shall be considered in their numerical order. Consecutive items which amend the same section of an Act shall, unless the House otherwise orders, be considered together. For the purpose of this paragraph an amending bill is one whose principal purpose is to amend an existing Act or Acts.

In reconsidering any bill the order set out above shall be followed.

### **Admissible amendments**

**227** Any amendment may be moved to any part of the bill, provided it is within the title or relevant to the subject matter of the bill, and is otherwise in conformity with the standing orders of the House.

### **Relevancy of discussion**

**228** The discussion shall be confined to the clause or amendment before the House or the Main Committee.

### **Clause put as amended**

**229** If a clause is amended, a further question shall be proposed, “That the clause, as amended, be agreed to”.

### **Clause may be postponed**

**230** A clause, or a clause which has been amended, may be postponed.

### **Amendment of title**

**231** If any amendment has been made in the bill, necessitating an amendment of the title, the title shall be amended, and a question proposed, “That the title, as amended, be the title of the bill”, and the amendment of the title shall be specially reported to the House if the bill has been considered in the Main Committee.

### **Motions need not be seconded**

**232** Notwithstanding the provisions of standing orders 172 and 174, a motion moved during consideration in detail, or during consideration of amendments to a bill made or requested by the Senate, need not be seconded.

### **Amendment inadmissible if contrary to previous decision**

**233** No amendment or new clause or schedule shall be at any time moved which is substantially the same as one already negatived by the House or the Main Committee, or which is inconsistent with one that has been agreed to already by the House or the Main Committee, unless a reconsideration of the bill has intervened.

## **Report from Main Committee and adoption**

### **Bill ordered to be reported—Bill reported**

**234** When a bill referred to the Main Committee has been fully considered by it, the question shall be put forthwith and determined without amendment or debate, “That this bill be reported to the House, without amendment” or “with (an) amendment(s)” (“and with (an) unresolved question(s)”), as appropriate. If this question is agreed to, the bill shall be reported to the House by the Speaker at a time when other business is not before the House. A copy of the bill certified by the Clerk of the Committee together with schedules of any amendments made by the Committee and any questions which the Committee was unable to resolve shall be transmitted to the Speaker for report to the House.

### **Time for considering report**

**235** If a bill is reported with amendments or with questions which the Main Committee had been unable to resolve, a future time shall be appointed for taking the report into consideration and the schedules of amendments or unresolved questions shall in the meantime be printed: Provided that, if copies of the schedules have been circulated among Members, the report may be considered forthwith.

### **Questions to be put**

**236** On consideration of a report from the Main Committee on a bill with amendments or unresolved questions, separate questions shall be proposed on each of the unresolved questions which shall be open to debate or amendment. A single question shall then be proposed, if necessary, “That the amendments made by the Main Committee be agreed to”, no debate or amendment to this question being allowed. No new amendments may be moved except as necessary as a

consequence of the resolution by the House of any question on which the Committee had reported it could not agree. Finally, the question “That the bill (or the bill, as amended) be agreed to” shall be proposed, no debate or amendment being allowed.

### **Bill reported without amendment or unresolved questions**

**236A** If a bill is reported from the Main Committee without amendment or unresolved questions the question shall be proposed, at once or at a time to be appointed, “That the bill be agreed to”, no debate or amendment being allowed.

## **Reconsideration**

### **Reconsideration**

**236B** At any time before the moving of the third reading a bill, on motion without notice by any Member, may be reconsidered in detail, in whole or in part, by the House.

## **Third reading, passing, etc.**

### **Day fixed for third reading**

**237** When a bill has been agreed to at the consideration in detail stage, the Speaker shall notify the House and a future day shall be fixed, on motion, for the third reading.

### **Question for third reading**

**238** On the order of the day being read for the third reading of a bill, on motion being made, the question shall be proposed “That this bill be now read a third time”.

### **Amendment to third reading**

**239** The only amendment which may be moved to such question is by omitting “now” and adding “this day 6 months”, which, if carried, shall finally dispose of the bill.

### **Bill passed**

**240** After the third reading no further question shall be put, and the bill shall have passed the House.

### **Verbal or formal amendments**

**241** Amendments of a verbal or formal nature may be made, and clerical or typographical errors may be corrected, in any part of the bill by the Clerk acting with the authority of the Deputy Speaker.

### **Certificate of bill having passed**

**242** When a bill originated in the House has been passed, the Clerk shall certify at the top of the first page “This bill originated in the House of Representatives; and, having this day passed, is now ready for presentation to the Senate for its concurrence”.

## **Transmission to Senate**

### **Bill sent to Senate**

**243** After a passed bill has been certified by the Clerk, it shall be sent to the Senate with a message desiring the concurrence of that House.

### **Senate's amendments on bills originated in the House**

#### **Amendments by Senate**

**244** When a bill is returned from the Senate with amendments, the amendments shall be printed, unless the House otherwise orders, and a time fixed for taking the same into consideration.

#### **How disposed of**

**245** The amendments made by the Senate shall be agreed to either with or without amendments; or disagreed to; or the consideration thereof postponed; or the bill ordered to be laid aside.

#### **Relevancy of amendment to Senate amendment**

**246** No amendment may be moved to an amendment of the Senate that is not relevant thereto; nor may an amendment be moved to the bill unless the same be relevant to, or consequent upon, either the acceptance or the rejection of an amendment of the Senate.

#### **Further proceeding after consideration of Senate amendments**

**247** When amendments made by the Senate, in bills which have first passed the House, have been agreed to by the House without amendments, a message shall be sent informing the Senate thereof; and if they have been agreed to with amendments, the bill shall be returned with a schedule of such amendments, in a message desiring the concurrence of the Senate therein; and if they have been disagreed to, the bill may be again sent to the Senate, with a message desiring its reconsideration.

#### **Reasons for disagreeing**

**248** When the House disagrees to any amendments of the Senate to a bill, the Member who moved the motion—That the amendment(s) be disagreed to—shall present to the House written reasons for the House not agreeing to the amendments proposed by the Senate. A message returning the bill to the Senate shall contain any such reasons.

#### **Form of schedule of amendments to Senate amendments**

**249** When amendments have been made by the House on the amendments of the Senate, a schedule of such amendments shall be prepared, containing reference to each amendment of the Senate which has been amended by the House; and this schedule shall accompany the bill, and be certified by the Clerk.

#### **Disagreement—further proceedings**

**250** If the Senate returns the bill with a message informing the House that it—

- I. Insists on the original amendments to which the House has disagreed;  
or
- II. Disagrees to amendments made by the House on the original amendments of the Senate; or
- III. Agrees to amendments made by the House on the original amendments of the Senate, with further amendments:

the House may, as to I.—

Agree, with or without amendment, to the amendments to which it had previously disagreed, and make, if necessary, consequential amendments to the bill; or insist on its disagreement to such amendments and make, if necessary, amendments relevant to the rejection of the amendments of the Senate;

and may, as to II.—

Withdraw its amendments and agree to the original amendments of the Senate; or make further amendments to the bill consequent upon the rejection of its amendments; or make new amendments as alternative to the amendments to which the Senate has disagreed; or insist on its amendments to which the Senate has disagreed;

and may, as to III.—

Agree, with or without amendment, to such further amendments of the Senate, making consequential amendments to the bill, if necessary; or disagree thereto and insist on its own amendments which the Senate has amended;

and in all such cases, if agreement be not thereby arrived at, the House may return the bill to the Senate, or order the bill to be laid aside, or request a conference. If the bill be again returned by the Senate with any of the requirements of the House still disagreed to, the House shall fix a time for the consideration of the message and, on its consideration, shall order the bill to be laid aside or request a conference.

#### **Final agreement—message sent**

**251** When the requirements of the Senate in the bill have been finally agreed to, a message shall be sent informing the Senate thereof.

#### **Clerk to certify at every stage of the bill**

**252** In whatever way the House disposes of a bill returned with amendments by the Senate, as hereinbefore described, the Clerk shall, at every stage, certify accordingly on the bill.

### **Bills originated in the Senate**

#### **Bills coming first time from the Senate**

**253** A bill coming to the House the first time from the Senate shall, to the necessary extent, be proceeded with as if it were a bill originating in the House.

#### **Certificate when returned to the Senate**

**254** When any such bill has been passed by the House, with or without amendment, it shall be returned to the Senate by message, with the Clerk's certificate that "This bill has been agreed to by the House without amendment,"

or, “with the amendments indicated by the annexed schedule,” as the case may require; and the concurrence of the Senate in such amendments shall be desired.

### **Form of schedule of House amendments**

**255** When any amendments have been made by the House to a bill which has been first passed by the Senate, a schedule of such amendments shall be prepared, containing reference to the clause, page, and line of the bill, and amendments made; and this schedule shall accompany the bill, and be certified by the Clerk.

### **Senate amendments to House amendments**

**256** If the Senate returns such bill with any of the amendments made by the House disagreed to, or further amendments made thereon, together with reasons for its disagreeing to any such amendments proposed by the House, a time shall be fixed for taking the Senate message into consideration and, unless the House otherwise orders, any schedule accompanying the message shall be printed.

### **Disagreement—further proceedings**

**257** In cases where the Senate—

- I. Disagrees to amendments made by the House, or
- II. Agrees to amendments made by the House with amendments;

the House may, as to I.—

Insist, or not insist, on its amendments; or make further amendments to the bill consequent upon the rejection of its amendments; or make new amendments as alternative to the amendments to which the Senate has disagreed; or order the bill to be laid aside;

and may, as to II.—

Agree to the Senate’s amendments on its own amendments, with or without amendment, making consequential amendments to the bill if necessary; or disagree thereto and insist on its own amendments which the Senate has amended; or order the bill to be laid aside;

and, unless the bill be laid aside, a message shall be sent to the Senate to such effect as the House has determined.

On any further return of the bill from the Senate with any of the requirements of the House still disagreed to, the House may order the bill to be laid aside.

### **Reasons for disagreeing to further Senate amendments**

**258** When the House disagrees to any amendments made by the Senate to the amendments of the House, the Member who moved the motion—That the amendment(s) be disagreed to—shall present to the House written reasons for the House not agreeing to the amendments made by the Senate. A message returning the bill to the Senate shall contain any such reasons.

### **Form of schedule of House amendments to Senate amendments**

**259** When any further amendments have been made by the House on the Senate’s amendments on the original amendments of the House to a bill which has been first passed by the Senate, a schedule of such further amendments shall be prepared, containing reference to each amendment of the Senate which has

been amended by the House, and the further amendment made; and this schedule shall accompany the bill, and be certified by the Clerk.

### **Clerk to certify at every stage of bill**

**260** In whatever way the House disposes of a bill returned by the Senate after having been amended by the House, the Clerk shall, at every stage, certify accordingly on the first page of the bill.

### **Inadmissible amendments**

**261** No amendment may be moved to any words of the bill which, having received the concurrence of the Senate, have not been the subject of, or immediately affected by, some previous amendment, unless such proposed amendment be consequent upon an amendment already agreed to or made by the House.

## **Bills which the Senate may not amend**

### **Message from Senate requesting amendments**

**262** Whenever the Senate returns to the House any bill which the Senate may not amend, requesting, by message, the omission or amendment of any items or provisions therein, the House shall thereupon, or at a later time to be fixed, consider the requested amendments, and the subsequent proceedings shall be as follows:

- (a) The House may make any of such omissions or amendments, with or without modifications.
- (b) The omissions or amendments (if any) as agreed to by the House shall be made by the Clerk in the bill, which shall be returned to the Senate with a message, stating the manner in which the omissions or amendments requested by the Senate have been dealt with by the House, and desiring the concurrence of the Senate in the bill.

## **Bills altering the Constitution**

### **Bills altering Constitution, absolute majority for third reading**

**263** Whenever the third reading of a bill by which an alteration of the Constitution is proposed to be made has not been carried by an absolute majority of the House, the bill shall be forthwith laid aside and shall not be revived during the same session.

## **Lapsed bills**

### **Resumption of proceedings on lapsed bills**

**264** Any bill which lapses by reason of a prorogation before it has reached its final stage may be proceeded with in the next ensuing session at the stage it had reached in the preceding session, if a periodical election for the Senate or a general election has not taken place between such two sessions, under the following conditions:

- (a) If the bill be in the possession of the House in which it originated, not having been sent to the other House, or, if sent, then returned by

message, it may be proceeded with by resolution of the House in which it is, restoring it to the Notice Paper.

- (b) If the bill be in the possession of the House in which it did not originate, it may be proceeded with by resolution of the House in which it is, restoring it to the Notice Paper, but such resolution shall not be passed unless a message has been received from the House in which it originated, requesting that its consideration may be resumed.

### **Proceedings on restored bills**

Any bill so restored to the Notice Paper shall be proceeded with in both Houses, as if its passage had not been interrupted by a prorogation, and, if finally passed, be presented to the Governor-General for Her Majesty's assent.

### **Bills not restored**

Should the motion for restoration to the Notice Paper be not agreed to by the House in which the bill originated, the bill may be re-introduced and proceeded with in the ordinary manner.

## **Presentation for assent**

### **Bills finally passed, certified and presented to the Governor-General**

**265** Every bill originated in the House of Representatives which has finally passed both Houses, shall be presented by the Speaker to the Governor-General for Her Majesty's assent, having been first certified by the signature of the Clerk as having originated in the House, and as having finally passed both Houses.

## **Amendments proposed by the Governor-General**

### **Amendments proposed by Governor-General**

**266** Whenever the Governor-General returns any bill presented for assent, and transmits therewith any amendment which he or she may recommend, such amendment shall be considered and dealt with in the same manner as amendments proposed by the Senate.

### **Such amendments, if agreed to, to be forwarded to Senate**

**267** When the House has agreed to any amendment proposed by the Governor-General with or without amendment, such amendment, together with any alterations rendered necessary to be made in the bill in consequence of such amendment, shall be forwarded to the Senate for its concurrence; and any amendment made by the Senate thereto shall be dealt with in the same manner as amendments made by the Senate in bills originated in the House.

### **Consideration of such amendments received through Senate**

**268** Amendments recommended by the Governor-General in bills originated in the Senate which have been agreed to by the Senate and forwarded for the concurrence of the House, shall be proceeded with in the same manner as amendments made by the Senate on the House's amendments to bills first received from the Senate.

## **Presentation of bill to Governor-General**

**269** When amendments recommended by the Governor-General in any bill originated in the House have been agreed to by both Houses, with or without amendment, the bill shall be fair printed and presented by the Speaker to the Governor-General, having been certified as in the manner provided in standing order 265; but if any such amendments be disagreed to by the House, or if no agreement between the two Houses be arrived at thereon prior to the last day of the session, the Speaker shall again present to the Governor-General for Her Majesty's assent the bill in the form as first presented by the Speaker for that purpose.

### CHAPTER XVII

## **MAIN COMMITTEE**

### **Appointment of Main Committee**

- 270** A Main Committee is established to which:
- (a) bills may be referred for consideration; and
  - (b) orders of the day for the resumption of debate on: (i) motions moved in connection with committee and delegation reports; and (ii) motions to take note of papers, may be referred for debate.

All remaining proceedings on such bills as are referred to it, to the completion of consideration in detail, shall be conducted in the Main Committee:

Provided that a bill or other order of the day may be returned to the House for consideration at any time during its consideration in the Main Committee by agreement to a motion which may be moved without notice by any Member (no seconder required) "That further proceedings be conducted in the House" which motion shall be determined without amendment or debate. If the Committee is unable to resolve this question the bill or order of the day shall be returned to the House. The House shall continue consideration at the point which had been reached in the Committee and shall resolve any other matters which the Committee reports in relation to the bill or order of the day:

Provided further that the House may at any time require a bill or other order of the day to be returned to the House for further consideration, on motion without notice by any Member. Any matter so returned shall be set down for consideration at a later hour that day.

### **Membership of Committee**

- 271** All Members shall be members of the Main Committee.

### **Quorum of Committee**

**272** The quorum of the Main Committee shall be three Members comprising the occupant of the Chair and one government Member and one non-government Member.

### **Deputy Speaker fixes meeting times, takes Chair**

**273** Subject to standing order 274, the Deputy Speaker shall fix the meeting times of the Main Committee which shall be notified to all Members and shall take the Chair of the Committee.

### **Sittings and adjournment**

**274** The Main Committee may meet at any time during a sitting of the House and the following provisions shall apply:

- (a) the Committee need not adjourn between items of business;
- (b) proceedings in the Committee shall be suspended by the Chair to enable Members to attend any division in the House;
- (c) a sitting of the Committee may be adjourned on motion moved by any Member without notice;
- (d) upon the adjournment of the House the Chair shall interrupt the business before the Committee and forthwith adjourn the Committee; and
- (e) upon the completion of consideration of all matters referred to the Committee by the House the Chair shall propose the question—That the Committee do now adjourn.

### **Adjournment debates**

**274A** The question—That the Committee do now adjourn—shall be open to debate but no amendment may be moved to the question:

Provided that if, on the question—That the Committee do now adjourn—being proposed, a Member requires the question to be put forthwith without debate, the Chair shall forthwith put the question.

Provided further that, at the conclusion of the debate on the question—That the Committee do now adjourn—a Minister may require that the debate be extended for 10 minutes to enable Ministers to speak in reply to matters raised in the preceding adjournment debate; on the expiry of 10 minutes, or upon the earlier cessation of the debate, the Chair shall forthwith adjourn the Committee.

### **Committee to consider only matters referred**

**275** The Main Committee shall consider only such matters as have been referred to it by the House or as specified in the standing orders.

### **Statements by Members**

**275A** Notwithstanding standing order 275, when the Main Committee meets before 10 a.m. the Chair shall first call statements by Members. A Member, other than a Minister, may be called by the Chair to make a statement for a period not exceeding 3 minutes. The period for Members' statements may continue for a maximum of 18 minutes or until 10 a.m. whichever is the earlier. For the purpose of this standing order a Minister does not include a Parliamentary Secretary.

### **How questions decided—Division not possible**

**276** Every question in the Committee shall be decided on the voices and if any Member dissents from the result announced by the Chair, the question shall be recorded in the minutes as unresolved. Any unresolved question shall be

reported to the House and included in a schedule attached to the report of the Committee to the House on the bill or order of the day.

Provided that, if the question—That the Committee do now adjourn—is unresolved, it shall be deemed to have been resolved in the affirmative.

### **Committee may continue regardless of unresolved questions**

**277** The Main Committee may continue proceedings on a bill regardless of unresolved questions unless agreement to an unresolved question is necessary to enable further questions to be considered in which case the Committee shall return the bill to the House for further consideration.

### **Contradictory motions**

**278** A motion contradictory of a previous decision of the Main Committee in relation to the same matter shall not be entertained.

### **Minutes to be recorded by Clerk of Committee**

**279** All proceedings of the Main Committee shall be recorded by the Clerk of the Committee and such records shall constitute the Minutes of Proceedings of the Committee and shall form part of the Votes and Proceedings of the House for that sitting.

### **Rules for proceedings and order in debate**

**280** Except as provided by these standing orders, the same rules relating to the proceedings on bills and for regulating the conduct of business shall be observed in the Main Committee as in the House itself, the Chair being invested with the same authority as the Speaker for the preservation of order; but disorder in the Committee may be censured by the House only on receiving a report.

### **Report to House from Main Committee**

**280A** Any matter to be reported to the House from the Main Committee shall be certified by the Clerk of the Committee and transmitted to the Speaker for report to the House when other business is not before the House. Except as otherwise provided, any matter so reported shall be set down for consideration at a later hour that day.

### **Objection to ruling of Chair**

**281** [ [ [ [

### **Chair to suspend sitting when disorder arises**

**282** If any sudden disorder arises in the Main Committee the Chair may, or on motion without notice by any Member shall, forthwith suspend or adjourn the sitting and shall report the disorder to the House. If the sitting is adjourned, any business under discussion and not disposed of at the time of the adjournment shall be set down on the Notice Paper for the next sitting.

### **Speaker resumes Chair when time for conference etc.**

**283** [ [ [ [

### **Want of quorum in division**

**284** [ [ [ [

**Chair to suspend proceedings when quorum not present**

**285** If at any time the Chair takes note that a quorum is not present he or she shall immediately suspend proceedings until a stated time or adjourn the Committee to the day of the next sitting of the House.

**Resumption of proceedings after suspension or adjournment**

**286** The Main Committee may resume proceedings at the point at which they were interrupted following any suspension or adjournment of the Committee.

**Motion to report progress**

**287** [ [ [ [

**Report when all matters considered**

**288** [ [ [ [

**Motion that Chairman leave the Chair**

**289** [ [ [ [

**Resolutions of committee**

**290** [ [ [ [

CHAPTER XVIII

**FINANCIAL PROCEDURES**

**Supply and Appropriation Bills and taxation proposals submitted by Minister without notice**

**291** An Appropriation or Supply Bill or a bill or proposal dealing with taxation may be submitted to the House by a Minister without notice.

**No appropriation proposal unless recommended by Governor-General**

**292** No proposal for the appropriation of any public moneys shall be made unless the purpose of the appropriation has in the same session been recommended to the House by message of the Governor-General, but a bill, except an Appropriation or Supply Bill, which requires the Governor-General's recommendation may be brought in by a Minister and proceeded with before the message is announced. No amendment of such proposal shall be moved which would increase, or extend the objects and purposes or alter the destination of, the appropriation so recommended unless a further message is received.

**Taxation proposals to be initiated only by a Minister**

**293** A proposal for the imposition, or for the increase, or alleviation, of a tax or duty, or for the alteration of the incidence of such a charge, shall not be made except by a Minister. No Member, other than a Minister, may move an amendment to increase, or extend the incidence of, the charge defined in that proposal unless the charge so increased or the incidence of the charge so extended shall not exceed that already existing by virtue of any Act of the Parliament.

## CHAPTER XIX

### MESSAGES FROM THE GOVERNOR-GENERAL

#### **Message announced by Speaker or Chair**

**294** A message from the Governor-General shall be announced to the House or the Main Committee by the Speaker or the Chair, as the case may be, but not during a debate, or so as to interrupt a Member speaking.

#### **When announced for bill**

**295** Subject to the provisions of standing orders 296, 297 and 298, a message from the Governor-General recommending an appropriation of revenue or moneys for the purposes of a bill shall be announced before the bill to which it relates is brought in.

#### **When announced if bill precedes message pursuant to S.O. 292**

**296** A message from the Governor-General recommending an appropriation of revenue or moneys for the purposes of a bill which, in accordance with the provisions of standing order 292, is brought in by a Minister before a message is announced, shall be announced after the bill has been read a second time.

#### **When announced for amendment**

**297** Any message from the Governor-General recommending an appropriation of revenue or moneys for the purposes of an amendment to be moved to a bill shall be announced before the amendment is moved.

#### **When announced for Senate amendments or requests**

**298** Any message from the Governor-General recommending an appropriation of revenue or moneys for the purposes of or in relation to an amendment made or requested by the Senate in a bill which originated in the House shall be announced before that amendment or requested amendment, as the case may be, is considered.

## CHAPTER XX

### INSTRUCTIONS TO COMMITTEES

#### **Effects of an instruction**

**299** An instruction empowers a committee to consider matters not otherwise referred to it.

#### **What instructions may be moved**

**300** No instruction can be given to a committee to do that which it is already empowered to do, or, in the case of a bill referred to a select committee, to deal with a question beyond the scope of the bill as read a second time.

#### **When instructions may be moved**

**301** An instruction to the Main Committee in relation to a bill requires notice, and can only be moved before the Committee has met to consider the bill.

### **Instruction to committee**

**302** An instruction to a committee extending or restricting the order of reference may be moved, after notice, on any day prior to the report of the committee.

## CHAPTER XXI

### **DISORDER**

#### **Disorder by Member**

**303** If any Member has—

- (a) persistently and wilfully obstructed the business of the House; or
- (b) been guilty of disorderly conduct; or
- (c) used objectionable words, which he or she has refused to withdraw; or
- (d) persistently and wilfully refused to conform to any standing or sessional order; or
- (e) persistently and wilfully disregarded the authority of the Chair—

the Member may be named by the Speaker.

#### **Proceedings following naming**

**304** Following the naming of a Member, the Speaker shall forthwith put the question, on a motion being made, no amendment, adjournment, or debate being allowed, “That the Member be suspended from the service of the House”.

#### **Speaker may order disorderly Member to withdraw**

**304A** If the Speaker considers the conduct of a Member is disorderly, the Speaker, instead of calling on the provisions of standing order 303 or 306, may order the Member to withdraw from the House for one hour, which order shall not be open to debate or dissent.

If a Member fails to leave the Chamber immediately when ordered to do so by the Speaker, the Speaker may name the Member and shall forthwith put the question, on a motion being moved, no amendment, adjournment or debate being allowed, “That the Member be suspended from the service of the House”.

#### **Period of suspension**

**305** If any Member is named and suspended under standing order 304 or 304A, the period of suspension on the first occasion shall be for 24 hours; on the second occasion during the same calendar year for three consecutive sittings excluding the day of suspension; and on the third or any subsequent occasion during the same calendar year for seven consecutive sittings excluding the day of suspension. For the purposes of this standing order, any suspension in a previous session or any order to withdraw pursuant to standing order 304A shall be disregarded.

#### **Speaker may order grossly disorderly Member to withdraw**

**306** When the conduct of a Member is of such a grossly disorderly nature that the procedure provided in standing order 304 or 304A would be inadequate to ensure the urgent protection of the dignity of the House, the Speaker shall order the Member to withdraw immediately from the Chamber and the Serjeant-

at-Arms shall act on any orders received from the Chair in pursuance of this standing order. When the Member has withdrawn, he or she shall forthwith be named by the Speaker and the proceedings shall then be as provided in standing orders 304 and 305, except that the question for the suspension of the Member shall be put by the Speaker without a motion being necessary.

If the question for the suspension of the Member is resolved in the negative, he or she may forthwith return to the Chamber.

### **Member suspended excluded from Chamber and room where Main Committee is meeting**

**307** A Member who has been suspended from the service of the House or ordered by the Speaker to withdraw from the House for one hour shall be excluded from the Chamber, all its galleries and any room where the Main Committee is meeting.

### **Speaker may adjourn House or suspend sitting in case of grave disorder**

**308** In the case of grave disorder arising in the House, the Speaker may suspend the sitting for a time to be specified, or adjourn the House without any question being put.

### **Members ordered to attend**

**309** A Member who wilfully disobeys any order of the House may be ordered without notice to attend to answer for his or her conduct.

### **Removal of strangers from House, Main Committee or gallery**

**310** The Serjeant-at-Arms shall remove any stranger who causes a disturbance in any part of the Chamber or the room in which the Main Committee is meeting or any gallery of those places, or who does not withdraw when strangers are directed to withdraw, while the House or the Main Committee is sitting.

### **Arrest of Member or stranger to be reported**

**311** When any Member or other person has been taken into the custody of the Serjeant-at-Arms, such arrest shall be reported to the House by the Speaker without delay.

## CHAPTER XXII

## STRANGERS

### **Admission of Senators and strangers**

**312** Only the Speaker shall have the privilege of admitting strangers into the lower galleries, but Senators shall have the privilege of admission into the Senators' gallery without orders. While in the Senators' gallery Senators shall observe instructions concerning order issued by the Chair. The Speaker may admit distinguished strangers to a seat on the floor of the House.

### **Strangers admitted by Members**

**313** [ [ [ [

### **Withdrawal of strangers**

**314** If at any sitting of the House, or the Main Committee, any Member takes notice that strangers are present, the Speaker or the Chair, as the case may be, shall forthwith put the question “That strangers be ordered to withdraw”, which shall be decided without debate: Provided that the Speaker or the Chair may, whenever he or she thinks fit, order the withdrawal of strangers from any part of the Chamber or the room in which the Main Committee is meeting.

### **No stranger admitted into Chamber or Main Committee**

**315** While the House or the Main Committee is sitting, no Member may bring any stranger into any part of the Chamber or that part of the room where the Main Committee is meeting which is reserved for Members.

## CHAPTER XXIII

### **PAPERS AND DOCUMENTS**

#### **Papers ordered**

**316** Papers may be ordered to be laid before the House, and the Clerk shall communicate to the Minister concerned all orders for papers made by the House; and such papers when received shall be laid on the Table by the Clerk.

#### **Addresses for papers involving prerogative**

**317** When the Royal Prerogative is concerned in any paper, an address shall be presented to the Governor-General praying that such paper may be laid before the House.

#### **Form of such addresses**

**318** Motions for the production of despatches, or other correspondence addressed to the Governor-General, or for any information emanating from the Governor-General, shall be in the form—“That an address be presented to His or Her Excellency”, to that effect.

#### **Papers presented**

**319** Other papers may be presented by the Speaker, or pursuant to statute, or by command of the Governor-General or by an Assistant Minister. Papers may be presented in the House, or may instead be delivered to the Clerk who shall cause them to be recorded in the Votes and Proceedings. Papers so delivered to the Clerk shall be deemed to have been presented to the House on the day on which they are recorded in the Votes and Proceedings.

#### **Papers authorised for publication**

**320** The publication of all papers and documents presented to the House is authorised by this standing order.

#### **Quoting documents**

**321** A document relating to public affairs quoted from by a Minister or an Assistant Minister, unless stated to be of a confidential nature or such as should more properly be obtained by address, shall, if required by any Member, be laid on the Table.

## **Motions to print or take note**

**322** On any paper being presented to the House as provided in this chapter, a Minister or an Assistant Minister may move without notice either or both of the following motions: 1. That the paper be printed; 2. That the House take note of the paper:

Provided that, at the conclusion of the period for presentation of papers in the routine of business under standing order 101 on each sitting day, one motion may be moved that the House take note of certain papers presented that day, and the resumption of the debate on the motion to take note of each of the papers shall be made a separate order of the day on the Notice Paper:

Provided further that, if any of the motions contained in this standing order is not moved by a Minister at the time of the presentation of the paper or papers, a motion for printing or taking note of a specific paper may be moved, on notice, on a subsequent day.

## CHAPTER XXIV

### **STANDING COMMITTEES**

#### **Appointment**

**323** Standing committees shall be appointed at the commencement of each Parliament in accordance with the provisions of standing orders 324 to 331.

#### **General purpose standing committees**

**324** (a) The following general purpose standing committees shall be appointed:

- (i) Standing Committee on Aboriginal and Torres Strait Islander Affairs;
- (ii) Standing Committee on Ageing;
- (iii) Standing Committee on Agriculture, Fisheries and Forestry;
- (iv) Standing Committee on Communications, Information Technology and the Arts;
- (v) Standing Committee on Economics, Finance and Public Administration;
- (vi) Standing Committee on Education and Training;
- (vii) Standing Committee on Employment and Workplace Relations;
- (viii) Standing Committee on Environment and Heritage;
- (ix) Standing Committee on Family and Community Affairs;
- (x) Standing Committee on Industry and Resources;
- (xi) Standing Committee on Legal and Constitutional Affairs;
- (xii) Standing Committee on Science and Innovation; and
- (xiii) Standing Committee on Transport and Regional Services.

(b) A standing committee appointed pursuant to paragraph (a) shall be empowered to inquire into and report on any matter referred to it by either the House or a Minister, including any pre-legislation proposal, bill, motion, petition, vote or expenditure, other financial matter, report or paper.

Annual reports of government departments and authorities and reports of the Auditor-General tabled in the House shall stand referred to the relevant committee for any inquiry the committee may wish to make. Reports shall stand

referred to committees in accordance with a schedule tabled by the Speaker to record the areas of responsibility of each committee.

Provided that:

- (i) any question concerning responsibility for a report or a part of a report shall be determined by the Speaker;
- (ii) the period during which an inquiry concerning an annual report may be commenced by a committee shall end on the day on which the next annual report of that department or authority is presented to the House; and
- (iii) if a committee intends to inquire into all or part of a report of the Auditor-General, it shall notify the Joint Committee of Public Accounts and Audit, in writing, of its intention.

(c) Each committee appointed under subparagraphs (a)(i) to (a)(xiii) shall consist of 10 members, six government and four non-government members. Each committee may be supplemented with up to two members for a particular inquiry: provided that a maximum of one government and one non-government member may be appointed as supplementary members.

### **Committee of Privileges**

**325** (a) A Committee of Privileges shall be appointed to inquire into and report on complaints of breach of privilege or contempt which may be referred to it by the House under standing order 95 or by the Speaker under standing order 97A or any other matter referred to it pursuant to a resolution of the House.

(b) The committee shall consist of the Leader of the House or his or her nominee, the Deputy Leader of the Opposition or his or her nominee and nine other Members.

### **Library Committee**

**326** (a) A Library Committee shall be appointed to consider any matter relating to the provision of library services to Members referred to it by the House or by the Speaker.

(b) The committee shall consist of the Speaker and six other Members.

### **House Committee**

**327** (a) A House Committee shall be appointed to consider any matter relating to the provision of facilities in Parliament House referred to it by the House or by the Speaker.

(b) The committee shall consist of the Speaker and six other Members.

### **Publications Committee**

**328** (a) A Publications Committee shall be appointed to consider all documents presented to the House which have not been ordered to be printed by either House of the Parliament. The committee shall report from time to time in connection with documents presented to the House and may make recommendations as to what documents ought to be printed and whether wholly or in part.

(b) The committee shall consist of seven Members.

(c) When conferring with a similar committee of the Senate the committee shall have power to inquire into and report on the printing, publication and distribution of parliamentary and government publications and on such matters as are referred to it by the relevant Minister.

### **Committee of Members' Interests**

- 329** (a) A Committee of Members' Interests shall be appointed—
- (i) to inquire into and report upon the arrangements made for the compilation, maintenance and accessibility of a Register of Members' Interests;
  - (ii) to consider any proposals made by Members and others as to the form and content of the register;
  - (iii) to consider any specific complaints made in relation to the registering or declaring of interests;
  - (iv) to consider what changes to any code of conduct adopted by the House are necessary or desirable;
  - (v) to consider what classes of persons (if any) other than Members ought to be required to register and declare their interests; and
  - (vi) to make recommendations upon these and any other matters which are relevant.

(b) The committee shall consist of seven Members, four government Members and three non-government Members: Provided that, where the Opposition is composed of two parties, the committee shall consist of four government Members, two Members of the larger opposition party, and one Member of the smaller opposition party.

(c) The committee shall have power to call for witnesses and documents but shall not exercise that power, nor undertake an investigation of the private interests of any person, unless approved by not less than four members of the committee other than the chair.

(d) The committee shall, as soon as practicable after 31 December in each year, prepare and present to the House a report on its operations during that year and shall also have power to report from time to time.

### **Standing Committee on Procedure**

**330** (a) A Standing Committee on Procedure shall be appointed to inquire into and report on the practices and procedures of the House generally with a view to making recommendations for their improvement or change and for the development of new procedures.

(b) The committee shall consist of seven Members, four government Members and three non-government Members.

### **Selection Committee**

**331** (a) A Selection Committee shall be appointed to arrange the timetable and order of business for private Members' business and committee and delegation reports on each sitting Monday pursuant to standing order 101.

(b) The committee shall consist of the Deputy Speaker, the Chief Government Whip, the Chief Opposition Whip, the Third Party Whip, four government Members and three opposition or other non-government Members.

(c) Private Members' business which is to be accorded priority, the order of consideration and the times allotted for debate on each item and the time limits allotted for each Member speaking shall be approved by a majority of the members present at a meeting of the committee and in accordance with general principles adopted by the House after report by the committee.

(d) The Selection Committee may determine the order of precedence and times allotted for consideration of committee and delegation reports and private Members' business and shall report its determinations to the House in sufficient time for its decisions to be published on the Notice Paper of the sitting Thursday prior to the Monday to which the determinations apply.

(e) Reports of the committee made pursuant to paragraph (d) shall be deemed adopted when presented and shall be printed in Hansard.

(f) Five members of the committee shall constitute a quorum of the committee.

(g) For the purpose of private Members' business in this and any other standing or sessional order, a private Member is any Member of the House other than the Speaker or a Minister.

## CHAPTER XXV

### OPERATION OF COMMITTEES

#### **Application**

**332** Except as provided in another standing or sessional order, or as otherwise ordered by the House, the provisions in standing orders 333 to 354 apply to all committees of the House.

#### **Appointment of members**

**333** Members shall be appointed to, or discharged from, a committee on motion moved on notice. Provided that, during a period when the House is not sitting and is not expected to meet for a further period of at least two weeks, the Chief Government Whip or Whips, in the case of a government member, or the Chief Opposition Whip or Whips, in the case of a non-government member, may nominate, by writing to the Speaker, the appointment or discharge of a member of a committee. The change in membership shall take effect from the time the Speaker receives the nomination from the relevant whip and the Speaker shall, at the next sitting, report the change to the House which shall resolve the membership of the committee.

For the purpose of consideration of a bill referred to a committee pursuant to standing order 217A, one or more members of a committee may be replaced by other members by motion on notice. This does not affect the provision for a general purpose standing committee to be supplemented by up to two members.

#### **Speaker and Deputy Speakers**

**334** The Speaker, the Deputy Speaker or the Second Deputy Speaker shall not be appointed to serve on a committee except with his or her consent or as specified in a standing or sessional order.

### **No Member to be on a committee if pecuniarily interested**

**335** (a) No Member may sit on a committee if he or she has any direct pecuniary interest in a matter which is the subject of an inquiry before the committee. If the right of a Member to sit on a committee is challenged, the committee may report the matter to the House for resolution.

### **Election of chair and deputy chair**

**336** (a) A committee, before the commencement of business, shall elect a government member as its chair. The chair shall have only a casting vote.

(b) A committee shall elect a deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee and at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting.

### **Quorum**

**337** (a) Three members of a committee shall constitute a quorum of that committee. If at any time a quorum is not present, the chair shall suspend proceedings of the committee until a quorum is present or adjourn the committee.

(b) If, after the lapse of 15 minutes from the time appointed for the meeting of a committee, a quorum is not present, the members present may retire, and their names shall be entered in the minutes. The secretary of the committee shall notify members of the next meeting.

### **Subcommittees**

**338** (a) A committee shall have power to appoint subcommittees consisting of three or more of its members and to refer to any subcommittee any matter which the committee is empowered to examine.

(b) A committee shall appoint the chair of each subcommittee who shall have a casting vote only and at any time when the chair of a subcommittee is not present at a meeting of the subcommittee the members of the subcommittee present shall elect another member of that subcommittee to act as chair at that meeting.

(c) The quorum of a subcommittee shall be two members of that subcommittee.

(d) Members of the committee who are not members of a subcommittee may participate in the public proceedings of that subcommittee but shall not vote, move any motion or be counted for the purpose of a quorum.

### **Proceedings and sittings of committee**

**339** (a) A committee or any subcommittee may conduct proceedings using any means approved by the House and in the following manner:

- (i) in private meeting;
- (ii) by hearing witnesses, either in public or in private; and
- (iii) in the form of another meeting, discussion or inspection conducted in accordance with the practice of committees of the House.

(b) A committee may resolve to conduct proceedings using audio visual or audio links with members of the committee or witnesses not present in one place. If an audio visual or audio link is used committee members and witnesses must be able to speak to and hear each other at the same time regardless of location.

(c) A committee or any subcommittee may adjourn from time to time, move from place to place and sit during any sittings or adjournment of the House.

#### **Power to call for witnesses and documents**

**340** (a) A committee or any subcommittee shall have the power to call witnesses and require that documents be produced.

(b) The chair of a committee or subcommittee shall direct the secretary of the committee or subcommittee to invite or summon witnesses and request or require the production of documents, as determined by the committee or subcommittee.

#### **Power to make use of records of previous committees**

**341** A committee or any subcommittee shall have power to consider and make use of the evidence and records of similar committees appointed during previous Parliaments.

#### **Conferring with Senate committees**

**342** A committee shall have power to confer orally or in writing with a similar committee of the Senate.

#### **Records of proceedings and divisions**

**343** (a) All proceedings of a committee or a subcommittee shall be recorded by the secretary of the committee. These records shall constitute the minutes of proceedings and shall be signed by the chair after confirmation by the committee or subcommittee.

(b) Any documents presented to the committee or subcommittee shall be signed by the secretary.

#### **Admission of visitors**

**344** When a committee or subcommittee is examining a witness, or engaged in other proceedings for the purpose of gathering information, visitors may be admitted. They shall withdraw if requested by the chair or if the committee or subcommittee resolves for their withdrawal. All visitors must withdraw when the committee or subcommittee is deliberating or taking evidence in camera.

#### **Admission of other Members**

**345** Members of the House may be present when a committee or subcommittee is examining a witness, or engaged in other proceedings for the purpose of gathering information, but shall withdraw if the committee or subcommittee so resolves. They shall always withdraw when the committee or subcommittee is deliberating or taking evidence in camera.

## **Publication of evidence and proceedings**

**346** (a) A committee or subcommittee has power to authorise publication of any evidence given before it or any document presented to it.

(b) The evidence taken by a committee or subcommittee and documents presented to it, and proceedings and reports of it, which have not been reported to the House, must not, unless authorised by the House or the committee or subcommittee, be disclosed or published to any person other than a member or officer of the committee.

Provided that a committee may resolve to:

- (i) publish press releases, discussion or other papers or preliminary findings for the purpose of seeking further input to an inquiry;
- (ii) divulge any evidence, documents, proceedings or report on a confidential basis to any person or persons for comment for the purpose of assisting the committee in its inquiry or for any administrative purpose associated with the inquiry; or
- (iii) authorise any member or members of the committee to provide such public briefings on matters related to an inquiry as the committee sees fit. The committee may impose restrictions on such authorisation and in any case a member so authorised must not disclose evidence or documents which have not been specifically authorised for publication.

## **Power to report from time to time**

**347** A committee shall have leave to report from time to time.

## **Chair to prepare report**

**348** The chair of a committee shall prepare a draft report and submit it to the committee.

## **Consideration of draft report**

**349** At a meeting convened for the purpose, the chair shall present his or her draft report to the committee. The report may be considered at once, provided copies have been circulated in advance to each member of the committee. The report shall be considered paragraph by paragraph, and appendixes shall be considered in order at the conclusion of consideration of the report itself.

A member objecting to any portion of the report shall vote against it or move an amendment at the time the particular paragraph or appendix is under consideration.

If any member dissents from all or part of the report or wishes to attach a protest to a report, the member may add a protest or dissenting report to the main report.

## **Alternative draft report**

**350** If any member, other than the chair, submits a draft report to the committee, the committee shall first decide upon which report it will proceed.

## **Reconsideration**

**351** After the draft report has been considered, the whole or any paragraph may be reconsidered and amended.

### **Chair to sign report**

**352** Every report of a committee shall be signed by the chair. Any protest or dissenting report shall be signed by the member or members protesting or dissenting.

### **Report and minutes presented**

**353** The report of a committee, together with the minutes of the proceedings, shall be presented to the House by a member of the committee.

Provided that, if the House is not sitting when a committee has completed a report of an inquiry, the committee may send the report to the Speaker, or in the absence or unavailability of the Speaker, to the Deputy Speaker. Upon receipt of the report by the Speaker or the Deputy Speaker:

- (i) the publication of the report is authorised by this standing order; and
- (ii) the Speaker or Deputy Speaker, as the case may be, is authorised to give directions for the printing and circulation of the report.

The report shall be presented to the House in accordance with this standing order as soon as possible.

### **Consideration set down**

**354** Upon the presentation of a report, the report may be ordered to be printed with or without the documents accompanying it. Subject to any determinations of the Selection Committee pursuant to standing order 102B, its consideration may be set down for a subsequent sitting when a specific motion without notice in connection with it may be moved.

## CHAPTER XXVA

### **SELECT AND JOINT COMMITTEES**

#### **Select committees**

##### **Appointment**

**355** The House may appoint select committees by motion.

##### **Report from select committee**

**356** On the appointment of a select committee, a day shall be fixed for the reporting of its proceedings to the House, by which day the report of the committee shall be presented by a member of the committee, unless the House grants an extension of time. The report of the committee may be presented prior to the date fixed.

#### **Joint committees**

##### **Proposal to appoint**

**357** A proposal for a joint committee of the House of Representatives and the Senate agreed to by the House shall state the number of Members the House will appoint to serve on the committee and be forwarded to the Senate by message.

### **Quorum of joint committee**

**358** The House may fix the quorum of its Members required to constitute a sitting of a joint committee. Subject to this a joint committee shall fix its own quorum.

### **Appointment of Members**

**359** On receipt of a message from the Senate agreeing to appoint a joint committee in the same terms as agreed to by the House, the House will proceed to appoint the number of Members agreed upon to serve on the committee.

### **Report of proceedings**

**360** The proceedings of a joint committee shall be reported to the House by one of the Members it has appointed to serve on the committee.

Provided that, if the House is not sitting when a joint committee has completed a report of an inquiry, the committee may send the report to the Speaker, or in the absence or unavailability of the Speaker, to the Deputy Speaker. Upon receipt of the report by the Speaker or the Deputy Speaker:

- (i) the publication of the report is authorised by this standing order; and
- (ii) the Speaker or Deputy Speaker, as the case may be, is authorised to give directions for the printing and circulation of the report.

The report shall be presented to the House in accordance with this standing order as soon as possible.

### **Consideration of bills by House members of joint committees**

**361** The House of Representatives members of a joint committee shall be considered to be a committee for the purpose of considering bills referred by the House under standing order 217A and shall operate under the provisions applying to general purpose standing committees.

## CHAPTER XXVB

### **WITNESSES BEFORE THE HOUSE OR A COMMITTEE**

#### **Summoning of witnesses**

**362** (a) Witnesses who are not Members may be ordered to attend before the House by summons under the hand of the Clerk of the House, or before a committee, by summons under the hand of the secretary of the committee.

(b) If a witness fails or refuses to attend or to give evidence, the House, on being acquainted with the matter, shall deal with it.

#### **Attendance of Member before the House or a committee**

**363** (a) When the attendance of a Member is ordered by the House for examination by the House, the Member shall be summoned by the Speaker to attend in his or her place.

(b) If a committee desires the attendance of a Member as a witness, the chair shall, in writing, invite the Member to attend; but should the Member refuse to come, or to give evidence or information as a witness to the committee,

the committee shall advise the House, and not again summon the Member to attend the committee.

### **Charges against Members**

**364** (a) No committee, except the Committee of Privileges and the Committee of Members' Interests, shall inquire into, or make findings in respect of, the conduct of any Member of the House, unless it is directed to do so by the House.

(b) If any information comes before any committee or any allegation is made to a committee, except the Committee of Privileges and the Committee of Members' Interests, charging any Member, the committee shall inform the Member concerned of the details of the charge and give the Member an opportunity to make any statement to it bearing on the matter. Unless the committee considers the matter is without substance, it shall report the matter to the House and shall not proceed further on that information or allegation without being directed by the House to do so.

### **Attendance of Senators or officers of the Senate**

**365** When the attendance of a Senator, or any officer of the Senate, is desired by the House or any committee of the House, a message shall be sent to the Senate to request that the Senate give leave to the Senator or officer to attend for examination.

### **Request by Senate for Member or officer to appear before the Senate or a Senate committee**

**366** Should the Senate request by message the attendance of a Member of the House before the Senate or any of its committees, the House may forthwith authorise that Member to attend, if the Member thinks fit. The House, if similarly requested by the Senate, may, if the House thinks fit, also instruct its own officers to attend the Senate or any of its committees.

### **Witness entitled to protection**

**367** All witnesses giving evidence to the House, or any of its committees, are entitled to the protection of the House in respect of anything that may be stated by them in their evidence.

### **Witness to be examined at the Bar of the House**

**368** A witness before the House shall be examined at the Bar unless the House otherwise orders.

### **Examination of witnesses**

**368A** (a) When a witness appears before the House the witness shall be examined by the Speaker, and any questions addressed by the Members are taken to be put through the Speaker.

(b) During consideration in detail of a bill in the House, any Member may put questions directly to a witness.

(c) A Member of the House giving evidence to the House shall be examined in his or her place.

(d) The examination of witnesses before a committee or a subcommittee shall be conducted according to the mode of procedure agreed on by the committee.

**Officers not to give evidence without leave**

**368B** An officer of the House, or other staff employed to record evidence before the House or any of its committees, may not give evidence elsewhere in respect of any proceedings or examination of any witness without the leave of the House.

CHAPTER XXVI

**COMMUNICATION BETWEEN THE HOUSES**

**Modes of communication**

**369** Communication with the Senate may be by message, by conference, or by committees conferring with each other.

**Messages to be signed by Speaker or Deputy Speaker**

**370** Every message from the House to the Senate shall be signed by the Speaker or the Deputy Speaker and delivered by the Serjeant-at-Arms.

**Motion to communicate resolution to Senate**

**371** It shall be in order at any time to move, without notice, that any resolution of the House be communicated by message to the Senate.

**Receipt of messages from the Senate**

**372** Every message from the Senate shall be received, if the House is sitting, at the Bar by a Clerk at the Table, and, if the House is not sitting, by the Clerk of the House, and shall be reported by the Speaker as early as convenient, and a time named for its consideration.

CHAPTER XXVII

**CONFERENCES**

**Conference requested by message**

**373** Conferences desired by the House with the Senate shall in all cases be requested by message.

**Object of conference and number of managers to be stated**

**374** In requesting any conference the message from the House shall state, in general terms, the object for which the conference is desired and the number of managers proposed to serve thereon, which shall be not less than five.

**Motion for conference to contain names of managers**

**375** Every motion for requesting a conference shall contain the names of the Members proposed by the mover to be the managers for the House.

**During conference business suspended**

**376** During any conference the business of the House shall be suspended.

### **Limitation of right to request conference**

**377** No conference shall be requested by the House upon the subject of any bill or motion of which the Senate is at the time in possession.

### **Managers to be equal in number**

**378** The managers to represent the House in a conference requested by the Senate shall consist of the same number of members as those of the Senate.

### **House agreeing to conference to name time and place**

**379** In respect of any conference requested by the Senate the time and place for holding the same shall be appointed by the House; and when the House requests a conference, it shall agree to its being held at such time and place as is appointed by the Senate, and such agreement shall be communicated by message.

### **If House agrees to conference, Senate managers to be received**

**380** At all conferences requested by the Senate the managers for the House shall assemble at the time and place appointed, and receive the managers of the Senate.

### **Communications at conferences to be in writing**

**381** At all conferences the reasons or resolutions of the House, to be communicated by the managers, shall be in writing; and the managers shall not receive any such communication from the managers for the Senate unless the same be in writing.

### **Proceedings at conferences**

**382** At all conferences it shall be the duty of the managers for the House to read the reasons or resolutions to be communicated by them, and to deliver the same to the managers for the Senate, or to hear and receive from the managers for the Senate the reasons or resolutions communicated by the latter; whereupon the managers for the House shall be at liberty to confer freely by word of mouth with the managers for the Senate.

### **Duties of managers**

**383** It shall be the endeavour of the managers for the House to obtain either a withdrawal, by the managers of the Senate, of the point in dispute between the Houses, or a settlement of the same by way of modification or further amendment; but, in the case of bills, no amendment (not being a consequential amendment) shall be suggested by them to any words of a bill to which both Houses have so far agreed, unless these be immediately affected by the disagreement in question.

### **Proceedings to be reported**

**384** The managers for the House shall, when the conference has terminated, report their proceedings to the House forthwith.

CHAPTER XXVIII

**Number of Members to serve**

**385** [ [ [ [

**Time and place of first meeting**

**386** [ [ [ [

**Quorum of joint committee**

**387** [ [ [ [

**Number of Members appointed by House**

**388** [ [ [ [

**Report of proceedings**

**389** [ [ [ [

CHAPTER XXIX

**BALLOTING**

**When ballot taken**

**390** A ballot shall be taken whenever the House thinks fit.

**Bells rung prior to ballot**

**391** Before the House proceeds to any ballot, the bells shall be rung as in a division.

**Manner of taking ballot**

**392** Unless otherwise expressly provided, a ballot shall be taken in the following manner: Each Member present shall give to the Clerk a list of the names of such Members as he or she may think fit and proper to be chosen at such ballot; and if any list contains a larger or lesser number of names than are to be chosen it shall be void and rejected. And when all the lists are collected, the Clerks at the Table shall ascertain and report to the Speaker the names of the Members having the greatest number of votes, which Members shall be declared to be chosen. In the event of an equality of votes, the names of the Members concerned shall be submitted to a further ballot.

CHAPTER XXX

**ADDRESSES TO THE QUEEN OR THE  
GOVERNOR-GENERAL**

**How moved**

**393** Whenever it be deemed proper to present an address to Her Majesty or the Governor-General, the same shall be moved, except in cases of urgency, after notice in the usual manner.

### **Addresses to Royal Family**

**394** Addresses of congratulation or condolence to members of the Royal Family may be moved by a Minister without notice.

### **Addresses to Queen sent to Governor-General by Speaker**

**395** Addresses to Her Majesty or to members of the Royal Family shall be transmitted to the Governor-General by the Speaker, who shall request the Governor-General to cause the same to be forwarded for presentation.

### **Presentation of addresses to Governor-General**

**396** Addresses to the Governor-General shall be presented by the Speaker, unless the House otherwise orders.

### **When presented by whole House**

**397** When an address is ordered to be presented by the whole House, the Speaker, with the House, shall proceed to such place as the Governor-General may appoint, and being admitted to the Governor-General's presence, the Speaker shall read the address to the Governor-General, the Members who moved and seconded such address being on the Speaker's left hand.

### **Governor-General's reply**

**398** The Governor-General's answer to any address presented by the whole House shall be reported by the Speaker.

## CHAPTER XXXI

### **STANDING ORDERS**

#### **Suspension**

##### **Motion for suspension without notice**

**399** In cases of necessity, any standing or sessional order or orders of the House may be suspended, on motion, duly moved and seconded, without notice: Provided that such motion is carried by an absolute majority of Members having full voting rights.

##### **Motion for suspension with notice**

**400** When a motion for the suspension of any standing or sessional order or orders appears on the Notice Paper, such motion may be carried by a majority of votes.

##### **Limitation of suspension**

**401** The suspension of standing orders is limited in its operation to the particular purpose for which such suspension has been sought.

#### **Duration**

##### **In force until altered**

**402** The whole of these standing orders shall continue in force until altered, amended, or repealed.

CHAPTER XXXII

**JOINT STANDING ORDERS**

**Acts assented to**

**Acts to be dated—Copy to be retained by Clerk**

**I.** Every Act which has passed both Houses and received Her Majesty's assent shall have the date of such assent, or in the case of a bill which has been reserved for the signification of Her Majesty's pleasure thereon, of such reservation, and also the date of proclamation of assent, following the words "Assented to" or "Reserved" and "Assent proclaimed" respectively (as the case may be), within parenthesis, immediately after the title; and one copy of such Act, bearing the signature of the Governor-General, shall be retained by the Clerk for deposit amongst the records of the Parliament.

**Disagreement between the Houses**

**Joint sitting—appointment of Chair**

**II.** The Members present at the joint sitting, under section 57 of the Constitution, shall appoint by ballot a Member to preside, and until such appointment the Clerk of the Senate shall act as Chair.

**Presentation of bill**

**III.** The Member chosen to preside shall present to the Governor-General for the Royal Assent any proposed law duly passed at such joint sitting.



**Dates of amendments to  
standing orders**  
(since their re-numbering in 1963)



## Amendments to standing orders since their re-numbering in 1963

Ad — Date sessional order adopted.                      Om — Date standing order omitted.  
 Amd — Date amendment agreed to by House.      Op — Date of operation.  
 Ins — Date new standing order inserted.        Sus — Date standing order suspended.

S.O.	Dates of amendment
<b>2</b>	Amd 9.11.94
<b>6</b>	Amd 9.11.94
<b>10</b>	Om 9.12.87
<b>11A</b>	Ins 4.5.66; Op 5.5.66
<b>12</b>	Amd 9.11.94
<b>13</b>	Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>13A</b>	Ins 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>13B</b>	Ins 10.2.94; Op 21.2.94
<b>14</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>15</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>16</b>	Om 10.2.94; Op 21.2.94
<b>17</b>	Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>18</b>	Amd 4.5.66; Op 5.5.66; Amd 10.2.94; Op 21.2.94
<b>19</b>	Amd 4.5.66; Op 5.5.66; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>22</b>	Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>22A</b>	Ins 10.2.94; Op 21.2.94
<b>22B</b>	Ins 10.2.94; Op 21.2.94
<b>23</b>	Amd 31.3.65; Op 1.4.65; Amd 9.11.94
<b>24</b>	Amd 31.3.65; Op 1.4.65
<b>25</b>	Om 15.10.92; Op 3.11.92
<b>26</b>	Amd 4.5.83; Op 4.5.83; Amd 9.11.94; Om 3.12.98
<b>27</b>	Om 3.12.98
<b>28</b>	Amd 10.6.70; Op 11.6.70; Amd 18.4.72; Op 20.4.72; Om 3.12.98
<b>28A</b>	Ins 9.10.84; Amd 9.11.94; Om 3.12.98
<b>28B</b>	Ins 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 9.11.94; Amd 9.5.96; Om 3.12.98
<b>28BA</b>	Ins 10.2.94; Op 21.2.94; Om 3.12.98
<b>28C</b>	Ins 15.10.92; Op 3.11.92; Amd 9.11.94; Om 3.12.98
<b>28D</b>	Ins 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 9.11.94; Om 3.12.98
<b>29</b>	Om 3.12.98

<b>S.O.</b>	<b>Dates of amendment</b>
<b>30</b>	Amd 9.11.94
<b>34</b>	Amd 9.11.94
<b>36</b>	Amd 9.11.94
<b>37</b>	Amd 9.11.94
<b>38</b>	Amd 5.12.94
<b>40</b>	Amd 3.9.70; Op 13.10.70; Amd 26.8.71; Op 28.9.71; Amd 22.2.78; Op 22.2.78; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 1.5.96
<b>41</b>	Amd 9.11.94
<b>43</b>	Amd 9.11.94
<b>44</b>	Amd 22.2.78; Amd 9.11.94
<b>45</b>	Amd 22.2.78; Amd 20.10.88; Amd 9.11.94
<b>46</b>	Om 10.2.94; Op 21.2.94
<b>46A</b>	Om 24.5.88; Op 22.8.88
<b>47</b>	Amd 24.5.88; Op 22.8.88; Amd 20.10.88; Amd 10.2.94; Op 21.2.94
<b>48</b>	Amd 10.2.94; Op 21.2.94
<b>48A</b>	Ins 22.2.78; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 1.5.96
<b>49</b>	Amd 10.2.94; Op 21.2.94
<b>52</b>	Amd 10.2.94; Op 21.2.94
<b>55</b>	Amd 9.11.94
<b>56</b>	Amd 9.11.94
<b>58</b>	Amd 9.11.94
<b>59</b>	Amd 9.11.94
<b>61</b>	Amd 9.11.94
<b>62</b>	Om 31.3.65; Op 1.4.65
<b>63</b>	Amd 9.11.94
<b>65</b>	Amd 10.2.94; Op 21.2.94; Amd 6.2.97
<b>66</b>	Amd 9.11.94
<b>68</b>	Amd 10.2.94; Op 21.2.94; Amd 6.2.97
<b>70</b>	Amd 9.11.94
<b>72</b>	Amd 20.8.70; Op 25.8.70
<b>78</b>	Amd 9.11.94
<b>80</b>	Amd 9.11.94
<b>81</b>	Amd 31.3.65; Op 1.4.65; Amd 30.6.98; Amd 22.8.2002; Op 16.9.2002
<b>83</b>	Amd 9.11.94
<b>84A</b>	Ad 22.8.2002; Op 16.9.2002

<b>S.O.</b>	<b>Dates of amendment</b>
<b>85</b>	Amd 10.2.94; Op 21.2.94
<b>86</b>	Amd 4.5.66; Op 5.5.66; Amd 10.2.94; Op 21.2.94; Amd 6.2.97
<b>90</b>	Amd 4.5.66; Op 5.5.66
<b>91</b>	Amd 31.3.65; Op 1.4.65; Amd 4.9.70; Op 13.10.70; Amd 13 and 18.4.72; Op 20.4.72; Amd 22.2.78; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 1.5.96; Amd 30.6.98; Amd 22.8.2002; Op 16.9.2002
<b>92</b>	Amd 10.2.94; Op 21.2.94
<b>93</b>	Amd 10.2.94; Op 21.2.94
<b>95</b>	Amd 10.2.94; Op 21.2.94
<b>97A</b>	Ins 4.5.83; Amd 9.11.94
<b>99</b>	Amd 9.11.94
<b>100A</b>	Ins 1.5.96
<b>101</b>	Amd 22.2.78; Op 22.2.78; Amd 15.10.92; Op 3.11.92; Amd 3.11.92; Op 9.11.92; Amd 10.2.94; Op 21.2.94; Amd 1.5.96; Amd 9.12.99
<b>101A</b>	Ins 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 1.5.96
<b>102A</b>	Ins 15.10.92; Op 3.11.92; Amd 3.11.92; Op 9.11.92; Amd 10.2.94; Op 21.2.94
<b>102B</b>	Ins 15.10.92; Op 3.11.92
<b>102C</b>	Ins 15.10.92; Op 3.11.92; Amd 3.11.92; Op 9.11.92; Amd 10.2.94; Op 21.2.94; Amd 9.12.99
<b>103</b>	Amd 10.2.94; Op 21.2.94; Amd 1.5.96
<b>104</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 22.2.94; Amd 1.5.96
<b>104A</b>	Ins 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 1.5.96; Sus 3.12.98; Ad 3.12.98; Op 3.12.98; Amd 9.12.99
<b>104B</b>	Ins 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 9.11.94
<b>106</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 1.5.96
<b>106A</b>	Ins 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 22.2.94; Amd 1.5.96
<b>107</b>	Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>109</b>	Om 15.10.92; Op 3.11.92
<b>110</b>	Amd 31.3.65; Op 1.4.65
<b>112</b>	Amd 18.4.72; Op 20.4.72; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 6.12.00; Op 6.2.01
<b>113</b>	Amd 15.10.92; Op 3.11.92; Amd 6.12.00; Op 6.2.01
<b>114</b>	Amd 6.12.00; Op 6.2.01
<b>115</b>	Amd 15.10.92; Op 3.11.92; Amd 6.12.00; Op 6.2.01
<b>116</b>	Amd 6.12.00; Op 6.2.01

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**S.O. Dates of amendment**

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<b>117</b>	Amd 4.5.89; Op 4.5.89; Amd 6.12.00; Op 6.2.01
<b>118</b>	Amd 15.10.92; Op 3.11.92; Amd 6.12.00; Op 6.2.01
<b>119</b>	Amd 15.10.92; Op 3.11.92; Amd 6.12.00; Op 6.2.01
<b>120</b>	Amd 15.10.92; Op 3.11.92; Amd 6.12.00; Op 6.2.01
<b>121</b>	Om 6.12.00; Op 6.2.01
<b>122</b>	Om 6.12.00; Op 6.2.01
<b>123</b>	Om 6.12.00; Op 6.2.01
<b>124</b>	Om 6.12.00; Op 6.2.01
<b>125</b>	Om 6.12.00; Op 6.2.01
<b>126</b>	Amd 18.4.72; Op 20.4.72; Amd 9.11.94; Om 6.12.00; Op 6.2.01
<b>127</b>	Amd 18.4.72; Op 20.4.72; Amd 15.10.92; Op 3.11.92; Om 6.12.00; Op 6.2.01
<b>128</b>	Om 6.12.00; Op 6.2.01
<b>129</b>	Amd 18.4.72; Op 20.4.72; Amd 15.10.92; Op 3.11.92; Om 6.12.00; Op 6.2.01
<b>130</b>	Amd 18.4.72; Op 20.4.72; Amd 15.10.92; Op 3.11.92; Om 6.12.00; Op 6.2.01
<b>131</b>	Amd 18.4.72; Op 20.4.72; Amd 9.11.94; Om 6.12.00; Op 6.2.01
<b>132</b>	Amd 18.4.72; Op 20.4.72; Amd 15.10.92; Op 3.11.92; Om 6.12.00; Op 6.2.01
<b>133</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92; Amd 7.12.00; Op 6.2.01
<b>134</b>	Amd 9.11.94
<b>135</b>	Amd 15.10.92; Op 3.11.92
<b>138</b>	Amd 31.3.65; Op 1.4.65
<b>139</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92
<b>142</b>	Amd 9.11.94; Amd 7.12.00; Op 6.2.01
<b>143</b>	Amd 13.4.72; Op 20.4.72
<b>144</b>	Amd 31.3.65; Op 1.4.65
<b>147</b>	Amd 9.11.94
<b>148</b>	Amd 31.3.65; Op 1.4.65; Amd 7.12.00; Op 6.2.01
<b>149</b>	Amd 9.11.94
<b>150</b>	Amd 31.3.65; Op 1.4.65; Amd 1.5.96
<b>152</b>	Amd 1.5.96
<b>158</b>	Amd 9.11.94
<b>159</b>	Amd 9.11.94
<b>160</b>	Amd 9.11.94
<b>166</b>	Amd 10.2.94; Op 21.2.94
<b>168</b>	Amd 9.11.94
<b>169</b>	Amd 10.2.94; Op 21.2.94

<b>S.O.</b>	<b>Dates of amendment</b>
<b>189</b>	Amd 9.11.94
<b>192</b>	Amd 9.11.94
<b>193</b>	Amd 4.5.66; Op 5.5.66; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 22.2.94; Amd 1.5.96; Amd 30.6.98
<b>194</b>	Amd 9.11.94
<b>195</b>	Amd 4.12.97
<b>196</b>	Amd 9.11.94
<b>197</b>	Amd 9.11.94; Amd 4.12.97
<b>199</b>	Amd 20.10.88; Amd 4.12.97
<b>200</b>	Amd 20.10.88
<b>200A</b>	Ins 22.2.78; Om 4.12.97
<b>201</b>	Amd 4.12.97
<b>202</b>	Amd 9.11.94; Amd 4.12.97
<b>203</b>	Amd 9.11.94; Amd 4.12.97
<b>203A</b>	Ins 4.12.97
<b>203B</b>	Ins 4.12.97
<b>204</b>	Amd 4.5.66; Op 5.5.66; Amd 9.11.94; Amd 4.12.97
<b>206</b>	Amd 10.2.94; Op 21.2.94
<b>207</b>	Amd 10.2.94; Op 21.2.94
<b>210</b>	Amd 9.11.94
<b>211</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 7.12.00; Op 6.2.01
<b>212</b>	Amd 10.2.94; Op 21.2.94; Amd 4.12.97
<b>215</b>	Amd 10.2.94; Op 21.2.94; Amd 22.2.94; Amd 1.5.96
<b>217</b>	Amd 22.2.94; Amd 1.5.96
<b>217A</b>	Ins 10.2.94; Op 21.2.94; Amd 1.5.96
<b>217B</b>	Ins 10.2.94; Op 21.2.94; Amd 1.5.96
<b>217C</b>	Ins 10.2.94; Op 21.2.94; Om 1.5.96
<b>217D</b>	Ins 10.2.94; Op 21.2.94
<b>218</b>	Om 10.2.94; Op 21.2.94
<b>219</b>	Amd 10.2.94; Op 21.2.94
<b>220</b>	Amd 31.3.65; Op 1.4.65; Amd 10.2.94; Op 21.2.94
<b>221</b>	Amd 10.2.94; Op 21.2.94
<b>222</b>	Amd 10.2.94; Op 21.2.94; Amd 1.5.96
<b>223</b>	Amd 10.2.94; Op 21.2.94

<b>S.O.</b>	<b>Dates of amendment</b>
224	Amd 10.2.94; Op 21.2.94
225	Amd 10.2.94; Op 21.2.94
226	Amd 10.2.94; Op 21.2.94; Amd 6.2.97
227	Amd 10.2.94; Op 21.2.94
228	Amd 10.2.94; Op 21.2.94
231	Amd 10.2.94; Op 21.2.94
232	Amd 10.2.94; Op 21.2.94; Amd 6.2.97
233	Amd 10.2.94; Op 21.2.94
234	Amd 10.2.94; Op 21.2.94; Amd 9.11.94
235	Amd 10.2.94; Op 21.2.94
236	Amd 10.2.94; Op 21.2.94; Amd 9.11.94
236A	Ins 10.2.94; Op 21.2.94
236B	Ins 10.2.94; Op 21.2.94
237	Amd 10.2.94; Op 21.2.94; Amd 9.11.94
241	Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
244	Amd 10.2.94; Op 21.2.94
245	Amd 10.2.94; Op 21.2.94
248	Amd 30.6.98
250	Amd 20.8.70; Op 25.8.70
256	Amd 10.2.94; Op 21.2.94
257	Amd 10.2.94; Op 21.2.94
258	Amd 30.6.98
262	Amd 10.2.94; Op 21.2.94
266	Amd 9.11.94
269	Amd 9.11.94
270	Amd 10.2.94; Op 21.2.94; Amd 12.5.94; Amd 9.11.94
271	Amd 10.2.94; Op 21.2.94
272	Amd 10.2.94; Op 21.2.94
273	Amd 10.2.94; Op 21.2.94
274	Amd 10.2.94; Op 21.2.94; Amd 9.11.94; Amd 30.6.98; Amd 22.8.2002; Op 16.9.2002
274A	Ins 30.6.98; Amd 22.8.2002; Op 16.9.2002
275	Amd 10.2.94; Op 21.2.94; Amd 22.8.2002; Op 16.9.2002
275A	Ins 30.6.98; Amd 31.3.99; Op 11.5.99
276	Amd 10.2.94; Op 21.2.94; Amd 9.11.94; Amd 30.6.98
277	Amd 10.2.94; Op 21.2.94

<b>S.O.</b>	<b>Dates of amendment</b>
278	Amd 10.2.94; Op 21.2.94; Amd 9.11.94
279	Amd 10.2.94; Op 21.2.94
280	Amd 10.2.94; Op 21.2.94
280A	Ins 9.11.94
281	Om 10.2.94; Op 21.2.94
282	Amd 10.2.94; Op 21.2.94; Amd 22.8.2002; Op 16.9.2002
283	Om 10.2.94; Op 21.2.94
284	Om 10.2.94; Op 21.2.94
285	Amd 10.2.94; Op 21.2.94
286	Amd 10.2.94; Op 21.2.94
287	Om 10.2.94; Op 21.2.94
288	Om 10.2.94; Op 21.2.94
289	Om 10.2.94; Op 21.2.94
290	Om 10.2.94; Op 21.2.94
291	Amd 31.3.65; Op 1.4.65
292	Amd 31.3.65; Op 1.4.65
294	Amd 10.2.94; Op 21.2.94
300	Amd 10.2.94; Op 21.2.94
301	Amd 10.2.94; Op 21.2.94
302	Amd 3.12.98
303	Amd 10.2.94; Op 21.2.94; Amd 27.8.97
304	Amd 10.2.94; Op 21.2.94
304A	Ins 10.2.94; Op 21.2.94
305	Amd 10.2.94; Op 21.2.94
306	Amd 10.2.94; Op 21.2.94
307	Amd 10.2.94; Op 21.2.94
308	Amd 9.11.94; Amd 27.8.97
309	Amd 9.11.94; Amd 27.8.97
310	Amd 10.2.94; Op 21.2.94; Amd 27.8.97
311	Amd 27.8.97
312	Amd 27.8.97
313	Om 27.8.97
314	Amd 10.2.94; Op 21.2.94
315	Amd 10.2.94; Op 21.2.94
318	Amd 9.11.94

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**S.O.    Dates of amendment**

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<b>319</b>	Amd 13.4.72; Op 20.4.72; Amd 9.11.94
<b>320</b>	Amd 27.8.97
<b>321</b>	Amd 13.4.72; Op 20.4.72
<b>322</b>	Amd 13.4.72; Op 20.4.72; Amd 1.5.96
<b>323</b>	Amd 3.12.98
<b>324</b>	Amd 3.12.98; Amd 12.3.2002
<b>325</b>	Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94; Amd 3.12.98
<b>326</b>	Amd 9.11.94; Amd 3.12.98
<b>327</b>	Amd 9.11.94; Amd 3.12.98
<b>328</b>	Amd 9.11.94; Amd 3.12.98
<b>329</b>	Amd 3.12.98
<b>330</b>	Amd 3.12.98
<b>331</b>	Amd 9.11.94; Amd 3.12.98
<b>332</b>	Amd 9.11.94; Amd 3.12.98
<b>333</b>	Amd 31.3.65; Op 1.4.65; Amd 3.12.98
<b>334</b>	Amd 3.12.98
<b>335</b>	Amd 9.11.94; Amd 3.12.98
<b>336</b>	Amd 9.11.94; Amd 3.12.98
<b>337</b>	Amd 9.11.94; Amd 3.12.98
<b>338</b>	Amd 9.11.94; Amd 3.12.98
<b>339</b>	Amd 3.12.98; Amd 6.12.00; Op 6.2.01
<b>340</b>	Amd 3.12.98
<b>341</b>	Amd 3.12.98
<b>342</b>	Amd 9.11.94; Amd 3.12.98
<b>343</b>	Amd 22.2.78; Amd 9.11.94; Amd 3.12.98
<b>344</b>	Amd 9.11.94; Amd 3.12.98
<b>345</b>	Amd 3.12.98
<b>346</b>	Amd 9.11.94; Amd 3.12.98; Amd 6.12.00; Op 6.2.01
<b>347</b>	Amd 15.10.92; Op 3.11.92; Amd 3.12.98
<b>348</b>	Amd 15.10.92; Op 3.11.92; Amd 3.12.98
<b>349</b>	Amd 9.11.94; Amd 3.12.98
<b>350</b>	Amd 3.12.98
<b>351</b>	Amd 3.12.98
<b>352</b>	Amd 3.12.98
<b>353</b>	Amd 3.12.98

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**S.O.    Dates of amendment**

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<b>354</b>	Amd 10.2.94; Op 21.2.94; Amd 3.12.98
<b>355</b>	Amd 3.12.98
<b>356</b>	Amd 10.2.94; Op 21.2.94; Amd 3.12.98
<b>357</b>	Amd 9.11.94; Amd 3.12.98
<b>358</b>	Amd 3.12.98
<b>359</b>	Amd 3.12.98
<b>360</b>	Amd 9.11.94; Amd 3.12.98
<b>361</b>	Amd 9.11.94; Amd 3.12.98
<b>362</b>	Amd 3.12.98
<b>363</b>	Amd 10.2.94; Op 21.2.94; Amd 3.12.98
<b>364</b>	Amd 9.11.94; Amd 3.12.98
<b>365</b>	Amd 10.2.94; Op 21.2.94; Amd 3.12.98
<b>366</b>	Amd 3.12.98
<b>367</b>	Amd 9.11.94; Amd 3.12.98
<b>368</b>	Amd 3.12.98
<b>368A</b>	Ins 3.12.98
<b>368B</b>	Ins 3.12.98
<b>369</b>	Amd 3.12.98
<b>370</b>	Amd 31.3.65; Op 1.4.65; Amd 15.10.92; Op 3.11.92; Amd 10.2.94; Op 21.2.94
<b>385</b>	Om 3.12.98
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<b>II</b>	Amd 9.11.94



# **Resolutions of the House**



## RESOLUTIONS OF THE HOUSE

This section contains resolutions and orders of the House intended to remain in force indefinitely or for an extended period during the life of the current Parliament.

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## **PARLIAMENTARY SECRETARIES**

*Resolution adopted 5 May 1993*

That:

- (1) for the purposes of the procedures of the House, any reference to Ministers shall be taken to include Parliamentary Secretaries, with the exception of references to questions seeking information (chapter XI of the standing orders); and
- (2) this resolution continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.  
(and see S.O. 275A)

## **CHIEF GOVERNMENT WHIP**

*Resolution adopted 12 May 1994*

That:

- (1) the Chief Government Whip, not being a Minister or a Parliamentary Secretary, be empowered to move motions without the requirement for a seconder relating to:
  - (a) the conduct of the business of the House or the Main Committee (but not including the actual presentation or moving of the second reading or later stages of a government bill); and
  - (b) the sitting arrangements of the House or the Main Committee; and
- (2) the terms of this resolution:
  - (a) so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
  - (b) continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

## PROCEDURES FOR TABLING MINISTERIAL PAPERS

*Resolution adopted 9 December 1987*

That this House endorses in principle the recommendation of the Standing Committee on Procedure that the procedures for the tabling of ministerial papers following questions without notice, pursuant to standing order 101, be altered in accordance with the following arrangements:

- (1) By 12 noon on each sitting day a schedule of papers to be presented will be made available to the Manager of Opposition Business and will be circulated to all Members in the Chamber at the first opportunity;
- (2) Following questions without notice a Minister will present the papers as listed on the circulated schedule;
- (3) Papers presented will continue to be recorded in *Hansard* and the Votes and Proceedings; and
- (4) A Minister shall present each paper individually if a schedule has not been circulated in accordance with these procedures or the paper has not been listed on the schedule, and shall retain the option of presenting a paper separately from the list if a statement is to be made or a motion moved in connection with the paper.

## **HANSARD—AUTHORITY TO PUBLISH RECORD OF DEBATES AND PROCEEDINGS**

*Resolution adopted 5 May 1993*

- (1) That the House:
  - (a) authorises the publication of the record of debates and proceedings in the House, known as *Parliamentary Debates* and *Hansard*, prepared by the Department of the Parliamentary Reporting Staff; and
  - (b) affirms the right of committees and subcommittees (however described) of the House and joint committees of the House and the Senate to authorise the publication of (i) documents and records and (ii) transcripts of evidence prepared by the Department of the Parliamentary Reporting Staff, subject to any particular provisions in relevant legislation, resolutions or standing orders.
- (2) That this resolution continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

## **VOTES AND PROCEEDINGS**

*Resolution adopted 5 December 1994*

That:

- (1) the House declares the *Votes and Proceedings* to be the record of the proceedings of the House of Representatives; and
- (2) this resolution continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

**BROADCASTING AND RE-BROADCASTING OF  
EXCERPTS OF PROCEEDINGS**

*Resolution adopted 30 November 1988*

That this House authorises the broadcasting and re-broadcasting on Australian radio and television stations of a sound record of excerpts of its proceedings, subject to the conditions determined for this purpose by the Joint Committee on the Broadcasting of Parliamentary Proceedings.

## TELEVISION OF PROCEEDINGS

*Resolution adopted 16 October 1991*

That:

- (1) the House authorises live television broadcast and rebroadcast of:
  - (a) the proceedings of the House and excerpts of proceedings, including the adjournment debate; and
  - (b) the public proceedings of House of Representatives committees, subject to the approval of individual committees—  
as provided for by this resolution;
- (2) the House supports in principle the amendment of the *Parliamentary Proceedings Broadcasting Act 1946* to make statutory provision for the televising of the proceedings of the Senate, the House of Representatives and the committees of each House and joint committees of both Houses;
- (3) a standing committee be appointed in each Parliament to consider and determine in respect of live television broadcast and rebroadcast of proceedings and excerpts of proceedings of the House of Representatives and the public proceedings of House of Representatives committees:
  - (a) the conditions to apply to television broadcasters;
  - (b) the guidelines for operators of sound and vision equipment;
  - (c) the guidelines for the televising of House of Representatives committees; and
  - (d) whether breaches of the conditions and guidelines have occurred and, if so, what penalties should apply;
- (4) the committee referred to in paragraph (3) of this resolution shall:
  - (a) consist of those Members of the House of Representatives who are members of the Joint Committee on the Broadcasting of Parliamentary Proceedings in each Parliament, who shall elect a chairman and deputy chairman; and
  - (b) have power to send for persons, papers and records;
- (5) until otherwise determined the conditions and guidelines to apply to live television broadcast and rebroadcast shall be those set out in the Report of the Inquiry into the Televising of the House of Representatives and its committees, dated August 1991 [*current conditions adopted 1 May 1996 see p.109*];
- (6) the arrangements relating to the live television broadcast and rebroadcast of proceedings and excerpts of proceedings of the House of Representatives shall be reviewed by the committee established under paragraph (3) of this resolution prior to the end of the 1993 Autumn sittings of the House; and
- (7) The House requests the Government to seek advice from the Attorney-General as to the legal position of bodies authorised to receive the signal of proceedings with a view to the House granting access to that signal to government departments, political party headquarters and others.

## **EXTENSION OF HOUSE MONITORING SERVICE**

*Resolution adopted 28 September 1993*

That the House authorises the extension of the provision of the House Monitoring Service television coverage of proceedings of the House and its committees to government departments and others, as may be determined by the Speaker, on such terms and conditions as stipulated by the Speaker.

## **RADIO BROADCASTING OF PARLIAMENTARY PROCEEDINGS—GENERAL PRINCIPLES**

*Resolution adopted 20 September 1994*

That the following general principles upon which there should be determined the days upon which, and the periods during which, the proceedings of the Senate and the House of Representatives shall be broadcast, as specified by the Joint Committee on the Broadcasting of Parliamentary Proceedings in its report dated May 1994, be adopted with effect from 10 October 1994 in place of the general principles previously adopted by both Houses:

### **General principles relating to the radio broadcasting of parliamentary proceedings**

1. *Days upon which proceedings shall be broadcast and their allocation between the Senate and the House of Representatives.*

The proceedings of Parliament shall be broadcast on each day on which either House is sitting. While there will be a usual allocation of broadcasts between the Senate and the House of Representatives, the Joint Committee on the Broadcasting of Parliamentary Proceedings or its Sub-Committee shall take into account the importance of the impending debate and the public interest attaching thereto in deciding on the allocation. It is anticipated that, over time, the coverage of each House will be approximately equal.
2. *Rebroadcast of questions and answers.*
  - (a) The following Parliamentary Proceedings shall be rebroadcast by the Australian Broadcasting Corporation at the conclusion of the broadcast of live proceedings from either House unless otherwise ordered by the Committee:  
Senate proceedings—Questions without notice and answers thereto;  
House of Representatives proceedings—Questions without notice and answers thereto;
  - (b) The rebroadcast shall be of the House that is not allocated the broadcast;
  - (c) When a member makes a personal explanation in rebuttal of misrepresentation contained in a question asked that day or an answer thereto, the question and answer shall, subject to the next succeeding sub-paragraph, be excluded from the rebroadcast; and
  - (d) The Presiding Officer may, in his or her discretion, refer any case to the Joint Committee for decision as to whether such a question and answer shall be excluded from the rebroadcast.

3. The general principles specified here and adopted by both Houses shall be observed generally by the Joint Committee in making determinations in accordance with the *Parliamentary Proceedings Broadcasting Act 1946*, but nothing in those general principles shall be taken to prevent the Joint Committee from departing from those general principles in order to meet any unusual or special circumstances.

## **BROADCASTING OF PROCEEDINGS— CONDITIONS FOR BROADCASTERS**

*Resolution adopted 1 May 1996*

That the conditions for broadcasters of the live broadcast and rebroadcast of the proceedings and excerpts of proceedings of the House of Representatives and its Main Committee be amended to read as follows:

1. Access to the proceedings of the House of Representatives and its Main Committee for the recording and broadcasting of proceedings is subject to an undertaking to observe, and to comply with, the following conditions:
  - (1) Broadcasting and recordings may only be made from the official and dedicated composite vision and sound feed provided by the Sound and Vision Office (channels 1 and 5 on the House Monitoring System);
  - (2) Broadcasts shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be used for:
    - (a) political party advertising or election campaigns;
    - (b) satire or ridicule; or
    - (c) commercial sponsorship or commercial advertising;
  - (3) Reports of proceedings shall be such as to provide a balanced presentation of differing views;
  - (4) Excerpts of proceedings which are subsequently withdrawn may be rebroadcast only if the withdrawal also is rebroadcast;
  - (5) The instructions of the Speaker of the House of Representatives, or the Speaker's delegate, in respect of broadcasting, shall be observed.
2. Non-compliance with the guidelines listed above may incur penalties. Breaches of the guidelines and penalties are determined by the House members of the Joint Committee on the Broadcasting of Parliamentary Proceedings. The following is a general guide to the penalties which may be imposed on stations or programs:
  - (a) first breach—access to the broadcast withdrawn for three sitting days;
  - (b) second breach—access to the broadcast service withdrawn for six sitting days; and
  - (c) third or subsequent breaches—such penalty as is determined by the House members of the Joint Committee on the Broadcasting of Parliamentary Proceedings.

## DISCLOSURE OF EVIDENCE AND DOCUMENTS OF HOUSE AND JOINT COMMITTEES

*Resolution adopted 11 October 1984*

- (1) That, unless otherwise ordered, the House authorises Mr Speaker to permit any person to examine and copy evidence submitted to, or documents of, committees which are in the custody of the House, which have not already been published by the House or its committees, and which have been in the custody of the House for at least 10 years:  
Provided that if such evidence or documents were taken *in camera* or submitted on a confidential or restricted basis, disclosure shall not take place unless the evidence or documents have been in the custody of the House for at least 30 years, and, in the opinion of Mr Speaker, it is appropriate that such evidence or documents be disclosed:  
Provided further that Mr Speaker report to the House the nature of any evidence or documents made available under this resolution and the person or persons to whom they have been made available.
- (2) That the House of Representatives, having considered Message No. 265 of the Senate, agrees that the disclosure of evidence or documents of joint committees be authorised by the President of the Senate and the Speaker of the House of Representatives under the same conditions as are provided in paragraph (1) of the message.\*
- (3) That the foregoing resolutions have effect notwithstanding anything contained in the standing orders.

\* *Paragraph (1) of Message No.265 of the Senate is in the same terms as paragraph (1) of this resolution with references to the Senate and the President in place of references to the House and the Speaker.*

## PRIVILEGES COMMITTEE—PUBLICATION OF RECORDS

*Resolution adopted 7 December 2000*

That:

- (1) the House authorises:
  - (a) the publication of all evidence or documents taken in camera or submitted on a confidential or restricted basis to the Committee of Privileges and that have been in the custody of the Committee for at least 30 years; and
  - (b) the transfer of these records to the National Archives of Australia to enable public access to the records;provided that, where the Speaker accepts advice that the release of a particular record would affect the national security interest, or represent an unreasonable intrusion upon the personal affairs of any person, alive or dead, or would otherwise be an exempt record under s.33 of the *Archives Act 1983*, if that Act had applied to the record, the release and transfer of that record is not authorised by this resolution;
- (2) this resolution has effect notwithstanding the provisions of any other resolution or standing order of the House; and
- (3) this resolution has effect from 1 January 2001 and continues in force unless and until amended or rescinded by the House in this or a subsequent Parliament.

**REGISTRATION OF MEMBERS' INTERESTS**  
**Requirements of the House of Representatives**

*Resolutions adopted 9 October 1984 a.m., amended 13 February 1986,  
22 October 1986, 30 November 1988 and 9 November 1994*

**(1) Registration of Members' interests**

That—

- (a) within 28 days of making and subscribing an oath or affirmation as a Member of the House of Representatives each Member shall provide to the Registrar of Members' Interests, a statement of—
  - (i) the Member's registrable interests, and
  - (ii) the registrable interests of which the Member is aware (a) of the Member's spouse and (b) of any children who are wholly or mainly dependent on the Member for support,in accordance with resolutions adopted by the House and in a form determined by the Committee of Members' Interests from time to time, and shall also notify any alteration of those interests to the Registrar within 28 days of that alteration occurring, and
- (b) the statement to be provided by a Member shall include:
  - (i) in the case of a Member who was not a Member of the House of Representatives in the immediately preceding Parliament, interests held at the date of his or her election and any alteration of interests which has occurred between that date and the date of completion of the statement, and
  - (ii) in the case of a Member who was a Member of the House of Representatives in the immediately preceding Parliament, interests held at the date of dissolution of the House of Representatives in the previous Parliament and any alteration of interests which has occurred between that date and the date of completion of the statement.

## **(2) Registrable interests**

That the statement of a Member's registrable interests to be provided by a Member shall include the registrable interests of which the Member is aware (1) of the Member's spouse and (2) of any children who are wholly or mainly dependent on the Member for support, and shall cover the following matters:

- (a) shareholdings in public and private companies (including holding companies) indicating the name of the company or companies;
- (b) family and business trusts and nominee companies—
  - (i) in which a beneficial interest is held, indicating the name of the trust, the nature of its operation and beneficial interest, and
  - (ii) in which the Member, the Member's spouse, or a child who is wholly or mainly dependent on the Member for support, is a trustee (but not including a trustee of an estate where no beneficial interest is held by the Member, the Member's spouse or dependent children), indicating the name of the trust, the nature of its operation and the beneficiary of the trust;
- (c) real estate, including the location (suburb or area only) and the purpose for which it is owned;
- (d) registered directorships of companies;
- (e) partnerships indicating the nature of the interests and the activities of the partnership;
- (f) liabilities indicating the nature of the liability and the creditor concerned;
- (g) the nature of any bonds, debentures and like investments;
- (h) saving or investment accounts, indicating their nature and the name of the bank or other institutions concerned;
- (i) the nature of any other assets (excluding household and personal effects) each valued at over \$5,000;
- (j) the nature of any other substantial sources of income;
- (k) gifts valued at more than \$500 received from official sources, or at more than \$200 where received from other than official sources provided that a gift received by a Member, the Member's spouse or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Member judges that an appearance of conflict of interest may be seen to exist;
- (l) any sponsored travel or hospitality received;
- (m) membership of any organisation where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise, and
- (n) any other interests where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise.

### **(3) Register and Registrar of Members' Interests**

That—

- (a) at the commencement of each Parliament, and at other times as necessary, Mr Speaker shall appoint an officer of the Department of the House of Representatives as the Registrar of Members' Interests and that officer shall also be clerk to the Committee of Members' Interests;
- (b) the Registrar of Members' Interests shall, in accordance with procedures determined by the Committee of Members' Interests, maintain a Register of Members' Interests in a form to be determined by that committee from time to time;
- (c) as soon as possible after the commencement of each Parliament the chairman of the Committee of Members' Interests shall table in the House a copy of the completed Register of Members' Interests and shall also table from time to time as required any notification by a Member of alteration of those interests, and
- (d) the Register of Members' Interests shall be available for inspection by any person under conditions to be laid down by the Committee of Members' Interests from time to time.

*Additional resolution adopted 13 February 1986*

That any Member of the House of Representatives who—

- (a) knowingly fails to provide a statement of registrable interests to the Registrar of Members' Interests by the due date;
- (b) knowingly fails to notify any alteration of those interests to the Registrar of Members' Interests within 28 days of the change occurring, or
- (c) knowingly provides false or misleading information to the Registrar of Members' Interests,

shall be guilty of a serious contempt of the House of Representatives and shall be dealt with by the House accordingly.

*Note*

No reference has been made to—

- (a) earlier registration and declaration requirements deleted on 13 February 1986, 22 October 1986, 30 November 1988 and 9 November 1994, *and*
- (b) resolutions of 21 March 1985 and 13 February 1986 which related to the lodgement of initial statements of interests by Members of the 34th Parliament.

## **RIGHT OF REPLY OF PERSONS REFERRED TO IN THE HOUSE**

*Resolution adopted 27 August 1997*

That:

- (1) Where a person who has been referred to by name, or in such a way as to be readily identified, in the House, makes a submission in writing to the Speaker:
  - (a) claiming that the person has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person; and
  - (b) requesting that the person be able to incorporate an appropriate response in the parliamentary record;and if the Speaker is satisfied:
  - (c) that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that it be considered by the Committee of Privileges; and
  - (d) that it is practicable for the Committee of Privileges to consider the submission under this resolution,the Speaker shall refer the submission to that Committee.
- (2) The Committee may decide not to consider a submission referred to it under this resolution if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the House.
- (3) If the Committee decides to consider a submission under this resolution, the Committee may confer with the person who made the submission and any Member who referred in the House to that person.
- (4) In considering a submission under this resolution, the Committee shall meet in private session.
- (5) The Committee shall not publish a submission referred to it under this resolution or its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the House.
- (6) In considering a submission under this resolution and reporting to the House the Committee shall not consider or judge the truth of any statements made in the House or of the submission.
- (7) In its report to the House on a submission under this resolution, the Committee may make either of the following recommendations:

- (a) that no further action be taken by the House or by the Committee in relation to the submission; or
  - (b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person and the Committee, be published by the House or incorporated in *Hansard*,
- and shall not make any other recommendations.
- (8) A document presented to the House under paragraph (5) or (7):
    - (a) in the case of a response by a person who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and
    - (b) shall not contain any matter the publication of which would have the effect of:
      - (i) unreasonably adversely affecting or injuring a person, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or
      - (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
  - (9) The Committee may agree to guidelines and procedures, not inconsistent with this resolution, to apply to the consideration by it of submissions.
  - (10) This resolution shall continue in force unless and until amended or rescinded by the House in this or a subsequent Parliament.



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