Chapter 10. Motions

Chapter outline

This chapter deals with:

- notices of motion
- motions
- questions on motions, and
- amendments.

Notices of motion

106 Giving notice

(a) A Member giving a notice of motion must deliver it in writing to the Clerk at the Table.

(b) The notice may specify the day proposed for moving the motion and must be signed by the Member and a seconder.

(c) A notice of motion which expresses censure of or no confidence in the Government, or a censure of any Member, must be reported to the House by the Clerk at the first convenient opportunity.

107 Notice given for an absent Member

A Member may give a notice of motion on behalf of, and at the request of, another Member who is absent. The notice must show both the absent Member's name and the signature of the Member acting for him or her.

108 Order of notices

The Clerk shall enter notices on the Notice Paper in the order in which they are received, and before orders of the day. *Standing orders 41 (private Members' business), 42 (removal of business), 45 (order of government business), 113 (motion not moved)* and *222 (Selection Committee)* also apply to the order of notices. A notice of motion becomes effective only when it appears on the Notice Paper.

109 Speaker amends notice

If a notice:

(a) contains inappropriate language or does not conform with the standing orders, the Speaker must amend the notice; or

(b) contains matters which are not relevant to each other, the Speaker may divide the notice.

110 Member may change notice

A Member who has given a notice of motion may:

(a) change the terms of the notice by notifying the Clerk in writing in time for the change to be published on the Notice Paper before the motion is called on;

(b) change the day proposed for moving the motion to a later day by notifying the Clerk in writing before the motion is called on; or

(c) withdraw the notice by notifying the Clerk in writing before the motion is called on.

Proceeding with motions

111 When a motion may be moved

A Member must not move a motion unless:

(a) he or she has given a notice of motion and the notice has appeared on the Notice Paper; or

(b) he or she has leave of the House; or

(c) as otherwise specified in the standing orders.

112 Order of motions

The order in which motions are called on is the order in which they appear on the Notice Paper. A Member who gave notice of a motion may move its postponement without notice.

113 Motion not moved when called on

A motion not moved when called on shall be removed from the Notice Paper except if the Member who gave notice, or another Member at his or her request, sets a future time for moving the motion.

114 Same motion

(a) A motion which has been withdrawn by leave of the House, or removed from the Notice Paper before being decided, may be moved again during the same session.

(b) Subject to *standing order 150(e)*, the Speaker may disallow any motion or amendment which he or she considers is the same in substance as any question already resolved in the same session.

115 Motions not called on

If any motions on the Notice Paper have not been called on before the adjournment of the House, they shall be set down on the Notice Paper

for the next sitting, following the motions of which notice has been given for that day.

116 Seconding of motions

(a) Unless otherwise provided, a motion must be seconded. A motion which is not seconded when required must not be debated, and shall not be recorded in the Votes and Proceedings.

(b) A motion moved by a Minister does not require a seconder.

(c) A motion moved by the Chief Government Whip does not require a seconder if it relates to:

(i) the sitting arrangements of the House or the Federation Chamber; or

(ii) the conduct of business of the House or the Federation Chamber, but not including any stage of a government bill.

Questions on motions

117 Question proposed and put by the Speaker

(a) After a motion has been moved and seconded, the Speaker shall propose the question to the House.

(b) After the question on the motion has been proposed from the Chair, the motion is in the possession of the House, and cannot be withdrawn without leave.

(c) At the conclusion of debate, the Speaker shall put the question to the House for decision.

118 Question put following amendments

(a) If amendments to a question have been made, the main question shall be put as amended.

(b) When amendments have been moved but not made, the question shall be put as originally proposed.

119 Complicated question divided

A Member may move that a complicated question be divided.

120 Resolution or vote rescinded

A resolution or other vote of the House may be rescinded during the same session. If the purpose of the rescission is to correct irregularities or mistakes the corrections may be made at once by leave of the House or when one day's notice has been given. In all other cases the rescission may only be made on seven days' notice.

Amendments

121 Form of amendments and seconding

(a) Once the Speaker has proposed a question on a motion to the House, the question may be amended by:

(i) omitting certain words; and/or

(ii) inserting or adding words.

(b) An amendment must be in writing and be signed by the mover and a seconder. If the amendment is not seconded (if necessary), it must not be debated and shall not be recorded in the Votes and Proceedings. Amendments moved during the consideration in detail of a bill (*standing order 151*) or during the consideration of Senate amendments to a bill (*standing order 159*) do not require seconders.

(c) The amendment must be relevant to the question it proposes to amend.

(d) A proposed amendment may be withdrawn by leave.

122 Question put on proposed amendments

The Speaker shall put the question on a proposed amendment—

That the amendment be agreed to.

123 Restrictions on amendments to be moved

(a) A proposed amendment must not be inconsistent with a previous decision on the question.

(b) An amendment may not be moved to an earlier part of the question:

(i) after a later part has been amended, or

(ii) after an amendment to a later part has been proposed and the proposal has not, by leave, been withdrawn.

(c) Each proposed amendment shall be disposed of before another amendment to the original question can be moved.

124 Amendments to proposed amendments

Amendments may be moved to a proposed amendment as if the proposed amendment were an original question *(see standing order 121*).