Chapter 4. The Speaker and administration in the Chamber

Chapter outline

This chapter provides for:

- the Speaker and deputies
- the Clerk and some clerical duties
- Members' attendance in the Chamber, and
- public record of proceedings.

The Speaker and other offices

15 Members elect Speaker

Members shall elect a Speaker at the beginning of every Parliament or when a vacancy occurs in accordance with section 35 of the Constitution, using the procedure set out in *standing order 11*.

16 Deputy Speaker and Second Deputy Speaker

(a) In each Parliament, the House shall elect a Deputy Speaker and a Second Deputy Speaker, using the procedure set out in *standing order 14*.

(b) The Deputy Speaker shall take the Chair of the House whenever asked to do so by the Speaker, and shall chair the Federation Chamber.

(c) The Second Deputy Speaker shall take the Chair of the House whenever asked to do so by the Speaker, act as Deputy Speaker in the absence of the Deputy Speaker, and assist the Deputy Speaker in the Federation Chamber.

17 Speaker's panel

(a) At the beginning of every Parliament the Speaker shall nominate a panel of at least four Members. The Speaker may nominate other Members or revoke the nomination of a Member at any time during the Parliament.

(b) The Speaker or the Deputy Speaker may call on a member of the Speaker's panel to take the Chair of the House.

(c) The Deputy Speaker may call on a member of the Speaker's panel to take the Chair of the Federation Chamber.

18 House informed of absences

(a) If the Speaker is absent the Deputy Speaker shall be the Acting Speaker. If both the Speaker and the Deputy Speaker are absent, the Second Deputy Speaker shall be the Acting Speaker.

(b) If the Speaker, the Deputy Speaker and the Second Deputy Speaker are all absent, the Clerk must inform the House. The House may adjourn until the next sitting or, if a quorum is present, the Members may immediately elect another Member to perform the duties of the Speaker, as Acting Speaker, during the absence, using the procedure set out in *standing order 11*.

19 Vacancy in office of Speaker

(a) If the office of Speaker falls vacant during a session the Clerk must report the vacancy to the House at its next sitting. The House shall proceed to the election of a new Speaker either immediately or at its next sitting, using the procedure set out in *standing order 11*.

(b) If the office of Speaker falls vacant during a recess the Clerk shall report the vacancy to the House at the opening of the next session when the House returns from hearing the Governor-General's speech, or from the declaration of the opening of the session, as the case may be. The House shall proceed to the election of a new Speaker immediately, using the procedure set out in *standing order 11*.

20 When Deputy Speaker may set time of meeting

If the office of Speaker falls vacant during an adjournment of the House and the date and hour of the next meeting would otherwise be set by the Speaker, the Deputy Speaker shall set the date and hour of the next meeting.

The Clerk

21 Absence of Clerk

If the Clerk is absent, the Clerk's duties shall be performed by the Deputy Clerk or, if the Deputy Clerk is also absent, by a Clerk Assistant.

22 Vacancy in office of Clerk

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.

Members' seats and attendance

23 Seats for Ministers

Seats in the front row of the Chamber, nearest to the right hand of the Speaker, shall be reserved for Ministers.

24 Seats for Members

(a) A Member may keep the seat he or she occupied at the end of the previous Parliament, unless there is a change of government.

(b) The Speaker shall determine any dispute about the seats occupied by Members.

25 Members' roll

The Clerk shall keep a Members' roll for each State and Territory showing the name of the Member elected for each electoral division and the date he or she:

(a) is elected;
(b) makes the oath or affirmation; and
(c) ceases to be a Member, and the reason.

26 Leave of absence

(a) A Member may be granted leave of absence from the House, on motion moved without notice, stating the reason for leave and the period of absence. The motion shall have priority over all other business.

(b) A Member with leave of absence is excused from the service of the House or on any committee. The leave is forfeited if the Member attends in the Chamber of the House before the end of the period of leave.

Public record of proceedings

27 Votes and Proceedings

The Clerk shall keep and sign the official record of the proceedings of the House, the Votes and Proceedings. This record shall contain the:

(a) proceedings and decisions of the House;
(b) proceedings and decisions of the Federation Chamber; and
(c) attendance of Members in the House, including any leave.

28 Custody of records

Under the direction of the Speaker, the Clerk shall have custody of the Votes and Proceedings, records, and all documents presented to the House.