

1993-94

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

VOTES AND PROCEEDINGS

No. 53

THURSDAY, 10 FEBRUARY 1994

1 The House met, at 9.30 a.m., pursuant to adjournment. The Speaker (the Honourable Stephen Martin) took the Chair, and read Prayers.

2 PETITIONS

The Clerk announced that the following Members had each lodged petitions for presentation, viz.:

Mr J. N. Andrew, Mr Fischer and Mr Sinclair, from 73, 76 and 6 petitioners, respectively, praying that action be taken to ensure the continued availability of high octane petrol to Australian motorists.

Mr Cameron, Mr Filing and Mr Prosser, from 16, 91 and 50 petitioners, respectively, praying that the outcome of the Mabo decision be decided by referendum.

Mr J. N. Andrew and Mr B. C. Scott, from 142 and 81 petitioners, respectively, praying that the increases in petrol excise proposed in the 1993-94 Budget be opposed.

Mr J. N. Andrew and Mr Hawker, from 21 and 99 petitioners, respectively, praying that no action be taken to change the national flag unless approved by the people of Australia in a national poll.

Mr Anderson, from 285 petitioners, praying that funding be granted to the new Playgroup Hall, Mudgee, NSW.

Mr J. N. Andrew, from 28 petitioners, praying that Members of the House cease promoting an Australian republic, uphold the existing Constitution and oppose the removal of the Queen of Australia as head of state.

Mr Beale, from 17 petitioners, praying that no change be made to the national flag without a full referendum.

Mr Cameron, from 7178 residents of Western Australia, praying that action be taken to stop the practice in China of extracting bile from caged bears for medical purposes.

Mr Cameron, from 5 residents of Western Australia, praying that expanded mammography services be introduced and covered by medical benefits.

Mr Costello, from 51 residents of Melbourne, praying that the Government of the Socialist Republic of Vietnam be urged to recognise Mr Nguyen Ly Tuong as a prisoner of conscience.

Mr Dodd, from 118 petitioners, praying that the procedure under which the Sky-Rail project between Cairns and Kuranda has been approved be reviewed and its environmental impact assessed.

Mr Lloyd, from 56 petitioners, praying that Australia remain a democratic constitutional monarchy with the Queen as head of state, represented in Australia by a Governor-General.

Mr Lloyd, from 51 petitioners, praying that the National Childcare Accreditation Council guidelines be rejected.

Mr Lloyd, from 45 petitioners, praying that no change be made to the design or colour of the Australian national flag and that it continue to represent a true manifestation of the nation's history.

Mr Lloyd, from 42 petitioners, praying that no change be made to the design or colour of the Australian national flag and that Australia remain a democratic constitutional monarchy with the Queen as head of state, represented in Australia by a Governor-General.

Mr Moore, from 253 petitioners, praying that the guidelines for homeless rate recipients be reviewed and greater commitment shown to programs which prevent family breakdown.

Mr Tuckey, from 20 petitioners, praying that the proposal to charge off-road users of diesel fuel a tax equal to one per cent of the diesel fuel rebate be abandoned.

Ms Worth, from 291 residents of South Australia, praying that resources be made available to enable St Stephen's House in Adelaide to continue to operate.

Petitions received.

3 REFORMING THE STRUCTURE OF GOVERNMENT

The order of the day having been read for the resumption of the debate on the motion of Mr Snow—That:

- (1) recognising that:
 - (a) Australia is over-governed with three levels of government in a nation which is geographically, demographically and socially one;
 - (b) since Federation there has been a continuing transfer of power from State to federal government;
 - (c) local government is an essential level of government and natural base for distribution of many services now being provided by State and federal governments; and
 - (d) State governments hinder rather than provide good government, increase the opportunity for corruption, confuse responsibility and accountability and reduce the sovereignty of the people; and
- (2) this House calls on the Executive to:
 - (a) develop a strategy and a plan to continue the process of transfer of power from State governments but to both federal and local governments;
 - (b) initiate action to phase out State governments, to base reformed local government on less than a hundred population centres throughout Australia and to provide constitutional recognition and Senate representation for local government; and

- (c) thoroughly examine all options for reforming the structure of local government to ensure that it provides democratic, efficient and accountable representation to the Australian people—

Mr Snow, by leave, again addressed the House without closing the debate.

Debate continued.

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Thursday.

4 PENSIONERS' SHARES AND INVESTMENTS

Mr Nehl, pursuant to notice, moved—That this House recognises the need for fair and just treatment of shares and investments owned by Australians of pensionable age in the context of social security and veterans' affairs payments.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Thursday.

5 PROTECTION FROM TELEMARETERS

Mr Filing, pursuant to notice, moved—That this House calls upon the Government to allow telephone subscribers to indicate their choice not to receive unsolicited telephone calls from telemarketers selling a good or service, by adding an asterisk against their entry in the White Pages telephone directory.

Debate ensued.

The time allotted for the debate having expired, the debate was interrupted and the resumption of the debate made an order of the day for the next sitting Thursday.

6 SOLUTIONS FOR UNEMPLOYMENT

The order of the day having been read for the resumption of the debate on the motion of Mr Sawford—That this House:

- (1) recognises the need for innovative solutions to reduce unemployment;
- (2) in particular, acknowledges the export potential of environmental industries; and
- (3) takes note of the preliminary Scan Report of the Green Jobs Unit jointly set up by the Australian Council of Trade Unions and the Australian Conservation Foundation—

Mr Sawford, by leave, again addressed the House without closing the debate.

Debate continued.

It being 12.30 p.m., the debate was interrupted in accordance with standing order 104A, the resumption of the debate made an order of the day for the next sitting Thursday, and Mrs Easson was granted leave to continue her speech when the debate is resumed.

7 GRIEVANCE DEBATE

Pursuant to the provisions of standing order 106, the order of the day having been read—

Question proposed—That grievances be noted.

Debate ensued.

It being 1.45 p.m., the debate was interrupted in accordance with standing order 106.

Question—That grievances be noted—put and passed.

8 MEMBERS' STATEMENTS

Members' statements were made.

9 QUESTIONS

Questions without notice were asked.

10 STATEMENTS BY MEMBERS

Dr Blewett and Mr MacKellar, by indulgence, made statements in connection with their impending resignations.

Mr Keating (Prime Minister), Dr Hewson (Leader of the Opposition) and Mr Anderson (Acting Leader of the National Party of Australia), by indulgence, also made statements in connection with the resignations.

11 PAPERS

The following papers were presented:

Aboriginal Land Rights (Northern Territory) Act—Tiwi Land Council—14th report, for 1992-93.

Companies and Securities Advisory Committee—Report for 1992-93.

Employment, Education and Training Act—National Board of Employment, Education and Training—Report—Science and technology education: Foundation for the future, February 1994.

Primary Industries and Energy Research and Development Act—Cotton Research and Development Corporation and the Cotton Research and Development Corporation Selection Committee—Report for 1992-93.

Procedure—Standing Committee—Report—About Time: Bills, questions and working hours: Inquiry into reform of the House of Representatives, 21 October 1993—Government response.

12 PAPERS—MOTION TO TAKE NOTE OF PAPERS

Mr Beazley (Leader of the House) moved—That the House take note of the following papers:

Aboriginal Land Rights (Northern Territory) Act—Tiwi Land Council—14th report, for 1992-93.

Companies and Securities Advisory Committee—Report for 1992-93.

Employment, Education and Training Act—National Board of Employment, Education and Training—Report—Science and technology education: Foundation for the future, February 1994.

Primary Industries and Energy Research and Development Act—Cotton Research and Development Corporation and the Cotton Research and Development Corporation Selection Committee—Report for 1992-93.

Procedure—Standing Committee—Report—About Time: Bills, questions and working hours: Inquiry into reform of the House of Representatives, 21 October 1993—Government response.

Debate adjourned (Mr Howard), and the resumption of each debate made an order of the day for the next sitting.

13 DISCUSSION OF MATTER OF PUBLIC IMPORTANCE—COMMUNITY CULTURAL, RECREATION AND SPORTING FACILITIES PROGRAM

The House was informed that Mr Costello had proposed that a definite matter of public importance be submitted to the House for discussion, namely, "The failure to disburse grants under the Community Cultural, Recreation and Sporting Facilities Program in a fair and unbiased way".

The proposed discussion having received the necessary support—

Mr Costello addressed the House.

Discussion ensued.

Discussion concluded.

Paper: Mrs Kelly (Minister for the Environment, Sport and Territories) presented the following paper:

Community Cultural, Recreation and Sporting Facilities Program grants—
Extensions of time for lodgment of applications for community grants—Copy
of answer to a question without notice asked on 3 February 1994.

14 MESSAGES FROM THE SENATE

Messages from the Senate were reported returning the following Bills without amendment:

9 February 1994—Message No. 201—Higher Education Funding Amendment 1993.

10 February 1994—Message—

No. 202—Offshore Minerals 1993.

No. 203—Offshore Minerals (Consequential Provisions) 1993.

No. 204—Offshore Minerals (Retention Licence Fees) 1993.

No. 205—Minerals (Submerged Lands) (Royalty) Amendment 1993 (*without requests*).

15 MESSAGE FROM THE SENATE—VETERANS' AFFAIRS LEGISLATION AMENDMENT BILL (NO. 3) 1993

The following message from the Senate was reported:

Message No. 206

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend the law relating to veterans' affairs, and for related purposes*", and acquaints the House that the Senate has agreed to the bill with the amendment indicated by the annexed schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

MICHAEL BEAHAN
President

The Senate,

Canberra, 10 February 1994

Ordered—That the amendment be taken into consideration, in committee of the whole House, at the next sitting.

16 STANDING ORDERS—AMENDMENTS

Mr Beazley (Leader of the House), pursuant to notice, moved—That the following amendments to the standing orders be made with effect from 21 February 1994:

PART 1—LEGISLATION AND SECOND DEPUTY SPEAKER

- (1) Omit standing orders 13 to 19 and substitute the following standing orders:

Appointment of Deputy Speaker and Second Deputy Speaker

Deputy Speaker and Second Deputy Speaker appointed

13. At the commencement of each Parliament 2 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:

- (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.
- (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.
- (d) If there are 2 or more nominations, when the time for motions has expired, debate may ensue but it shall be relevant to the election.
- (e) No Member may speak for more than 5 minutes.
- (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.

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

- (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 2 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.
- (i) If, after any ballot in which the names of more than 2 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 2 Members, the Speaker shall give a casting vote for one of those 2 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 2 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.

- (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.

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 4 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.

(2) After standing order 22 insert the following new standing orders:

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 2 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:

- (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.

- (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.
- (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.
- (d) When the time for motions has expired, debate may ensue, but it shall be relevant to the election.
- (e) No Member may speak for more than 5 minutes.
- (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.

- (g) Before the House proceeds to a ballot the bells shall be rung as in a division.
- (h) When only 2 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.
- (i) When more than 2 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.
- (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 2 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.
- (k) If, after any ballot in which the names of more than 2 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 2 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 2 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.
- (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.
- (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.
- (3) Standing order 28B (general purpose standing committees):
At the end of paragraph (c) add:
“Provided further that, for the purpose of consideration of a bill referred to a committee pursuant to standing order 217A, one or more members of the committee may be replaced by other Members nominated in accordance with the provisions set out in this paragraph. The provisions for the committee to be supplemented by up to 3 members are not affected by this proviso.”
- (4) New standing order 28BA be inserted:
Consideration of bills by House members of joint committees
28BA. 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.
- (5) Standing order 91 be amended to read:
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:
- | Subject | Time |
|--|------------|
| 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 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, 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
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
Secunder (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.	
(6) Omit standing orders 211 to 242 (chapter XVI) and substitute the following standing orders:	

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.

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

(i) delivering a fair copy of its terms 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 a fair copy of its terms to the Clerk at the Table.
- (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.
- (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 copies to be presented

212. A Member bringing in a bill shall present to the House three fair copies each 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 and explanatory memorandum

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. In the case of a bill presented by a Minister, an explanatory memorandum signed by the Minister and including an explanation of the reasons for the bill shall then be presented to the House.

Title only read

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

Second reading

Day fixed for second reading

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.

Reference to Main or other committee

217A. At least 7 days after the first reading and before the motion is moved "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 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 (if at least 7 days have elapsed since the first readings of all of the bills) 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 second reading and consideration in detail stages in accordance with standing order 217A.

Cognate bills

217C. After Government bills which are related to one another have been presented and prior to moving for their second reading, a Minister may seek leave to declare that the bills are cognate bills. If the leave of the House is granted, the Minister shall declare the bills to be cognate bills and the Minister, in moving that the first of the bills be read a second time, and Members in speaking in the subsequent debate, may refer to the subject matter of all the bills. In doing so, Members may move an amendment to the motion for the second reading for one or more of the bills: Provided that such amendments shall conform to the provisions of standing order 220. A separate question shall be put in respect of each such second reading amendment at the appropriate stage of each bill and no debate shall be allowed on the motions for the second readings or on any amendments to the second readings of the second and subsequent cognate bills:

Provided that, where a provision of this standing order is inconsistent with a provision of another standing order, this standing order shall prevail to the extent of the inconsistency.

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.

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

Amendments to be relevant

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:

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

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

And in reconsidering the bill the same order shall be followed:

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, and
- (b) in considering a bill to impose taxation, any schedule shall be considered before the clauses.

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 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. If a bill is being dealt with in the Main Committee, when it has been fully considered, the question shall be put forthwith and determined without amendment or debate, "That this bill (or this bill as amended) be reported to the House", which being agreed to, the Chair shall report the bill at a time when other business is not before the House and shall present 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.

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 motion being made, 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 finally agreed to, 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".

- (7) Standing order 244 (amendments by Senate):
Omit "in committee of the whole".
- (8) Standing order 245 (how disposed of):
Omit "On report from the committee the" and substitute "The".
- (9) Standing order 256 (Senate amendments to House amendments):
Omit "in committee of the whole".
- (10) Standing order 257 (Disagreement—further proceedings):
Omit "on report from the committee,".
- (11) Standing order 262 be amended to read:

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.
- (12) Omit standing orders 270 to 290 (chapter XVII) and substitute the following standing orders:

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 motions moved in connection with committee and delegation reports may be referred for debate.

All proceedings on such bills as are referred to it, from the calling on of a bill and the moving of a motion "That this bill be now read a second time" to the completion of consideration in detail, shall be conducted in the Main Committee:

Provided that a bill 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 "That further proceedings on this bill 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 shall be returned to the House for further consideration. 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.

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 3 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) the Committee shall stand adjourned upon completion of consideration of all bills referred to it by the House.

Committee to consider only matters referred

275. The Main Committee shall consider only such matters as have been referred to it by the House.

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 and included in a schedule attached to the report of the Committee to the House on the bill.

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 bill 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.

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 the sitting and shall report the disorder to the House.

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.

- (13) Standing order 294 be amended to read:

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.

- (14) Standing order 300 be amended to read:

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.

- (15) Standing order 301 be amended to read:

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.

PART 2—DISORDER

- (16) Standing orders 303 and 304 be amended to read:

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 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".

- (17) New standing order 304A be inserted:

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".

- (18) Standing orders 305, 306 and 307 be amended to read:

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 3 consecutive sittings excluding the day of suspension; and on the third or any subsequent occasion during the same calendar year for 7 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.

PART 3—SITTING PROGRAM—PROGRAM OF BUSINESS

(19) Standing order 28D be amended to read:

Selection Committee

28D. (a) A Selection Committee, to consist of the Deputy Speaker, the Government Whip, the Opposition Whip, the Third Party Whip, 4 Government members, and 3 Opposition or other non-government members, shall be appointed at the commencement of each Parliament 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) 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.

(c) 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 Wednesday prior to the Monday to which the determinations apply.

(d) Reports of the committee made pursuant to paragraph (c) shall be deemed adopted when laid upon the Table and shall be printed in Hansard.

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

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

(20) Standing order 40 be amended to read:

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 12.30 p.m.

Wednesday, at 9.30 a.m.

Thursday, at 9.30 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.

(21) Standing order 48A be amended to read:

Adjournment and next meeting

48A. At 5.30 p.m. on a sitting Thursday and at 7.30 p.m. on each other sitting day 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 6 p.m. on a sitting Thursday or at 8 p.m. on each other sitting day, the question before the House is—That the House do now adjourn—the Speaker shall interrupt the debate, at which time—

- (f) a Minister may require that the debate be extended until 6.10 p.m. or 8.10 p.m., as appropriate, to enable Ministers to speak in reply to matters raised in the preceding adjournment debate; at 6.10 p.m. or 8.10 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.

(22) Standing orders 101 and 101A be amended to read:

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 (debate concluding no later than 1.15 p.m.). 3. Private Members' business (commencing no later than 1.15 p.m., debate concluding no later than 2.45 p.m.). 4. Members' statements (at approximately 2.45 p.m.). 5. Questions without notice (at 3 p.m.). 6. Presentation of petitions. 7. Grievance debate (debate concluding no later than 5.15 p.m.). 8. Notices and orders of the day.

Tuesday, Wednesday and Thursday

1. Notices and orders of the day. 2. Questions without notice (at 3 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 3 p.m. on each sitting day 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.

(23) Standing order 102A be amended to read:

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.

(24) Standing order 102C (precedence to motions regarding committee and delegation reports):

Omit "11 a.m." and substitute "1.15 p.m.".

(25) Standing order 103 (new business):

Omit "11 p.m." and substitute "8 p.m.".

(26) Standing orders 104, 104A and 104B be amended to read:

Private Members' business

104. Government business shall, on each day of sitting, have precedence of private Members' business except that, on each sitting Monday, private Members' business shall have precedence of government business from the conclusion of committee and delegation reports but commencing no later than 1.15 p.m. and debate concluding no later than 2.45 p.m.

At the conclusion of consideration of private Members' business, 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.

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 shall fix the next sitting Monday for the further consideration of the matter.

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 5 minutes in support thereof. The bill shall then be read a first time and the next sitting Monday shall be appointed for the Member to move "That this bill be now read a second time".

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.

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 8 sitting Mondays, shall be removed from the Notice Paper by the Clerk.

- (27) Standing order 106 be amended to read:

Grievance debate

106. Notwithstanding standing order 105, the first order of the day, government business, on each sitting Monday following the presentation of petitions 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 at 5.15 p.m., 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.

- (28) Standing order 106A (statements by Members):

Omit "2 p.m." and substitute "3 p.m."

- (29) Standing order 112 be amended to read:

Petition to be lodged with Clerk

112. Every petition shall be lodged with the Clerk by 12 noon on the Friday previous to the Monday at which it is proposed that it be presented.

- (30) Standing order 193 be amended to read:

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 during the consideration of private Members' business on a question, other than a motion moved by a Minister, shall stand deferred until 5.30 p.m.

PART 4—CONSEQUENTIAL AMENDMENTS

- (31) Omit standing order 46.

- (32) Standing orders 22, 47, 48, 49, 52, 65, 68, 85, 86, 92, 93, 95, 166, 169, 206, 207, 310, 314, 315, 325, 354, 356, 363, 365 and 370 be amended to read as follows:

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.

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 4 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.

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.

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.

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.

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.

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: 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

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 for the second reading or any second reading amendment to the second or subsequent bill in a group of cognate bills (standing order 217C);
- (k) Question that the amendments made by the Main Committee be agreed to (standing order 236);
- (l) Question proposed in relation to a bill reported from the Main Committee that the bill be agreed to (standing orders 236 and 236A);
- (m) Motion that further proceedings on a bill be conducted in the House (standing order 270);
- (n) Motion that a Member be suspended (standing order 304), and
- (o) 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 opinion that it is an abuse of the orders or forms of the House, or is moved for the purpose of obstructing business.

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.

(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.

(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.

(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 5 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.

(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 2 hours at least before the expiration of the allotted time. No other amendments, new clauses or schedules, or modifications may be proposed.

(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.

(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 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.

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.

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 8 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.

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.

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.

Division of complicated question

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

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.

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.

Arrest of strangers in House, Main Committee or gallery

310. The Serjeant-at-Arms shall take or deliver into custody 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.

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.

Speaker and Deputy Speakers

325. Except with his or her consent, the Speaker, the Deputy Speaker or the Second Deputy Speaker shall not be chosen to serve on a select committee.

Summoning of witnesses

354. Witnesses, not being Members, shall be ordered to attend before the House by summons under the hand of the Clerk of the House, or before a select committee, by summons under the hand of the Clerk attending the committee.

Summoning of Members

356. When the attendance of a Member is ordered by the House for examination by the House, he or she shall be summoned by the Speaker to attend in his or her place.

Witnesses at the Bar

363. A witness before the House shall be examined at the Bar unless the House otherwise orders.

During consideration in detail by any Member

365. During consideration in detail of a bill in the House, any Member may put questions directly to a witness.

Messages to be signed by Speaker or a 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.

Debate ensued.

Closure: Mr Beazley moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the motion be agreed to—was put accordingly, and passed.

17 QUESTIONS—SESSIONAL ORDERS—PROPOSED ADOPTION

Mr Beazley (Leader of the House), pursuant to notice, moved—That, unless otherwise ordered, the following amendments to the standing orders be adopted for the remainder of the session with effect from 21 February 1994:

QUESTIONS

- (1) Standing order 150 be amended to read:

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 has asked the question, and the question and reply shall be printed in Hansard.

If after the expiration of 90 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.

- (2) New standing order 151A be inserted:

Rostering of Ministers

151A. Questions without notice shall be asked only of those Ministers who are rostered to attend the question period on that day. The roster shall be prepared by the Leader of the House in consultation with the Manager of Opposition Business, and shall be presented to the House.

- (3) Standing order 152 be amended to read:

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.

Debate ensued.

Debate adjourned (Mr Quick), and the resumption of the debate made an order of the day for a later hour this day.

18 PUBLICATIONS COMMITTEE—8TH REPORT

Mr Fitzgibbon (Chairman) presented the following report:

PUBLICATIONS COMMITTEE 8TH REPORT

The Publications Committee reports that it has met in conference with the Publications Committee of the Senate.

The Committee, having considered petitions and documents presented to the Parliament since 17 December 1993, recommends that the following be printed:

AeroSpace Technologies of Australia Limited—Report for 1992-93.

Albury-Wodonga Development Act—Albury-Wodonga Development Corporation—20th report, for 1992-93.

Anglo-Australian Telescope Agreement Act—Anglo-Australian Telescope Board—Report for 1992-93.

Australian Centre for International Agricultural Research Act—Australian Centre for International Agricultural Research—Report for 1992-93.

Australian Film Commission Act—Film Australia Pty Ltd—Report for 1992-93.

Australian Institute of Health and Welfare Act—Australian Institute of Health and Welfare—Report—Australia's welfare 1993: services and assistance.

Australian Institute of Aboriginal and Torres Strait Islander Studies Act—Australian Institute of Aboriginal and Torres Strait Islander Studies—Report for 1992-93.

Australian Sports Drug Agency Act—Australian Sports Drug Agency—Report for 1992-93.

Industry Commission Act—Industry Commission—Report No. 34—Public Housing, 11 November 1993—

Volume I—Report.

Volume II—Appendices.

Protection of Movable Cultural Heritage Act—Report on the Act and the National Cultural Heritage Fund, for 1992-93.

Seafarers Rehabilitation and Compensation Act—Seafarers Rehabilitation and Compensation Authority—Report for 1992-93.

Superannuation Act 1976—Commonwealth Superannuation Board of Trustees No. 2—Report for 1992-93.

Superannuation Act 1990—Commonwealth Superannuation Board of Trustees No.1—Report for 1992-93.

Telecommunications (Interception) Act—Report for 1992-93.

Wheat Marketing Act—Australian Wheat Board—Report for 1992-93.

Ombudsman Act—Commonwealth and Defence Force Ombudsman—Report for 1992-93—Erratum.

Primary Industries and Energy Research and Development Act—Honeybee Research and Development Council—Report for 1992-93—Errata.

Public Service Act—Department of Treasury—Report for 1992-93—Corrigenda.

ERIC FITZGIBBON
Chairman

10 February 1994

Mr Fitzgibbon, by leave, moved—That the report be agreed to.

Question—put and passed.

19 MESSAGE FROM THE SENATE

Message No. 207, dated 10 February 1994, from the Senate was reported acquainting the House that Senator McKiernan had been appointed a member of the Parliamentary Joint Committee on Corporations and Securities and that Senator Denman had been appointed a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade.

20 MESSAGE FROM THE SENATE—CORPORATE LAW REFORM BILL 1993

The following message from the Senate was reported:

Message No. 208

Mr Speaker,

The Senate returns to the House of Representatives the bill for "*An Act to amend the Corporations Law and the 'Australian Securities Commission Act 1989'*", and acquaints the House that the Senate has agreed to the bill with the amendment indicated by the annexed schedule, in which amendment the Senate requests the concurrence of the House of Representatives.

MICHAEL BEAHAN
President

The Senate,

Canberra, 10 February 1994

Ordered—That the amendment be considered at the next sitting.

21 MESSAGE FROM THE SENATE—INDUSTRY, TECHNOLOGY AND REGIONAL DEVELOPMENT LEGISLATION AMENDMENT BILL 1994

Message No. 209, dated 9 February 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to amend various Acts relating to matters dealt with by the Department of Industry, Technology and Regional Development, and for related purposes*".

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

22 MESSAGE FROM THE SENATE—FOREIGN EVIDENCE BILL 1994

Message No. 210, dated 9 February 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act about certain evidentiary matters involving overseas jurisdictions*".

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

23 MESSAGE FROM THE SENATE—FOREIGN EVIDENCE (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) BILL 1993

Message No. 211, dated 9 February 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act to make transitional provisions and certain amendments relating to the 'Foreign Evidence Act 1993'*".

Bill read a first time.

Ordered—That the second reading be made an order of the day for the next sitting.

24 MESSAGE FROM THE SENATE—WET TROPICS OF QUEENSLAND WORLD HERITAGE AREA CONSERVATION BILL 1994

Message No. 200, dated 8 February 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "*An Act relating to the conservation of the Wet Tropics of Queensland World Heritage Area*".

Bill read a first time.

Mrs Kelly (Minister for the Environment, Sport and Territories) moved—That the Bill be now read a second time.

Paper: Mrs Kelly presented an explanatory memorandum to the Bill.

Debate adjourned (Mr Connolly), and the resumption of the debate made an order of the day for the next sitting.

25 MESSAGE FROM THE SENATE—AUSTRALIAN SPORTS DRUG AGENCY AMENDMENT BILL 1993

Message No. 198, dated 8 February 1994, from the Senate was reported transmitting for the concurrence of the House a Bill for "An Act to amend the 'Australian Sports Drug Agency Act 1990'".

Bill read a first time.

Mrs Crosio (Parliamentary Secretary to the Minister for the Environment, Sport and Territories) moved—That the Bill be now read a second time.

Paper: Mrs Crosio presented an explanatory memorandum to the Bill.

Debate adjourned (Mr Connolly), and the resumption of the debate made an order of the day for the next sitting.

26 QUESTIONS—SESSIONAL ORDERS

The order of the day having been read for the resumption of the debate on the motion of Mr Beazley (Leader of the House) (*see* entry No. 17)—That, unless otherwise ordered, the following amendments to the standing orders be adopted for the remainder of the session with effect from 21 February 1994:

QUESTIONS

- (1) Standing order 150 be amended to read:

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 has asked the question, and the question and reply shall be printed in Hansard.

If after the expiration of 90 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.

- (2) New standing order 151A be inserted:

Rostering of Ministers

151A. Questions without notice shall be asked only of those Ministers who are rostered to attend the question period on that day. The roster shall be prepared by the Leader of the House in consultation with the Manager of Opposition Business, and shall be presented to the House.

- (3) Standing order 152 be amended to read:

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.—

Debate resumed.

Closure: Mr Beazley moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the motion be agreed to—being accordingly put—

The House divided (the Speaker, Mr Martin, in the Chair)—

AYES, 71

Mr Adams	Mr Duncan	Mr Jenkins	Mr Price
Mr Baldwin	Mrs Easson	Mr Johns	Mr Punch
Mr Beazley	Mr Elliott	Mr Jones	Mr Quick
Mr Beddall	Ms Fatin	Mrs Kelly	Mr Sawford
Mr Bevis	Mr Ferguson	Mr Kerr	Mr Sciacca
Mr Bilney	Mr Fitzgibbon	Mr Knott	Mr L. J. Scott
Dr Blewett	Mr Free	Mr Latham	Mr Simmons
Mr Brown	Mr Gear	Mr Lavarch	Mr S. F. Smith
Mr Campbell	Mr Gibson	Mr Lee	Mr Snow
Mr Chynoweth	Mr Gorman	Mr Lindsay	Mr Snowdon
Mr Cleeland	Mr Grace*	Ms McHugh	Mr Staples
Ms Crawford	Mr Griffin	Mr McLeay*	Mr Swan
Mr Crean	Mr Haviland	Mr Melham	Dr Theophanous
Mrs Crosio	Ms Henzell	Mr A. A. Morris	Mr Tickner
Mr Cunningham	Mr Holding	Mr P. F. Morris	Mr Walker
Ms Deahm	Mr Hollis	Mr Newell	Mr Willis
Mr Dodd	Mr Horne	Mr O'Connor	Mr Woods
Mr Duffy	Mr Humphreys	Mr O'Keefe	

NOES, 59

Mr Aldred	Mr Downer	Mr Mack	Mr Ruddock
Mr Anderson	Mr Evans	Mr MacKellar	Mr B. C. Scott
Mr J. N. Andrew	Mr Filing*	Mr McLachlan	Mr Sinclair
Mr Atkinson	Mr Forrest	Mr Miles	Mr Slipper
Mr Beale	Mrs Gallus	Mr Moore	Mr Somlyay
Mr Bradford	Mr Halverson	Mrs Moylan	Mr Sullivan
Mr Braithwaite	Mr Hawker	Mr Nehl	Mr Taylor
Mr Cadman	Mr Hicks*	Mr Neville	Mr Truss
Mr Cameron	Mr Howard	Mr Nugent	Mr Tuckey
Mr Charles	Mr Kemp	Mr Peacock	Mr Vaile
Mr Cleary	Dr Kemp	Mr Pyne	Mr Wakelin
Mr Cobb	Mr Lieberman	Mr Reid	Mr Williams
Mr Connolly	Mr Lloyd	Mr Reith	Dr Wooldridge
Mr Costello	Mr McArthur	Mr Rocher	Ms Worth
Mr Dobie	Mr McGauran	Mr Ronaldson	

* Tellers

And so it was resolved in the affirmative.

27 DEPUTY SPEAKER—APPOINTMENT

Mr Beazley (Leader of the House), pursuant to notice, moved—That:

- (1) at the time of commencement of operation of standing orders relating to the appointment of the Deputy Speaker and the Second Deputy Speaker, the occupant of the office of Deputy Speaker and Chairman of Committees immediately before that time of commencement shall be appointed Deputy Speaker; and
- (2) the provisions of this resolution, so far as they are inconsistent with the standing and sessional orders, have effect notwithstanding anything contained in the standing and sessional orders.

Debate ensued.

Closure: Mr Beazley moved—That the question be now put.

Question—That the question be now put—put and passed.

And the question—That the motion be agreed to—was put accordingly, and passed.

28 SPECIAL ADJOURNMENT

Mr Beazley (Leader of the House) moved—That the House, at its rising, adjourn until Monday, 21 February 1994, at 12.30 p.m., unless the Speaker fixes an alternative day or hour of meeting.

Question—put and passed.

29 SELECTION COMMITTEE—REPORT

Mr Jenkins (Chairman) presented the following report:

Selection Committee—Report relating to the program of business prior to 2.45 p.m. on Monday, 21 February 1994—

and, by leave, moved—That, notwithstanding standing order 28D(c), the business accorded priority for Monday, 21 February 1994, be as determined by the Selection Committee.

Question—put and passed.

30 PRIVATE MEMBERS' BUSINESS—ORDERS OF THE DAY

Mr Beazley (Leader of the House), by leave, moved—That any item of private Members' business which has been set down as an order of the day for the next sitting Thursday be set down as an order of the day for the next sitting Monday.

Question—put and passed.

31 ADJOURNMENT

Mr Beazley (Leader of the House) moved—That the House do now adjourn.

Debate ensued.

Debate extended: It being 11 p.m., the debate was interrupted.

Mr O'Keefe (Parliamentary Secretary to the Minister for Transport) required the debate to be extended.

The debate continuing until 11.03 p.m., the Speaker adjourned the House until Monday, 21 February 1994, at 12.30 p.m., in accordance with the resolution agreed to this day.

ATTENDANCE

All Members attended (at some time during the sitting) except Mr K. J. Andrews, Mr Fischer, Mr Griffiths, Mr Hall, Mr Langmore, Mr Sharp and Mr Tanner.

L. M. BARLIN

Clerk of the House of Representatives