



VICTORIA

---

STANDING ORDERS AND RULES OF THE LEGISLATIVE ASSEMBLY

relating to Public Business

also

JOINT STANDING ORDERS  
OF THE  
PARLIAMENT OF VICTORIA

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1996

## PREFACE.

This volume contains the consolidated and revised Standing Orders as adopted by the House on 7 May 1975, and approved by His Excellency the Governor on 16 May 1975, together with subsequent amendments incorporated up to 30 June 1996.

It should be noted that approval of His Excellency the Governor of amendments to Standing Orders is now not required (See *Constitution Act 1975* (No. 8750) s.43-operative 1 December 1975).

Accompanying Explanatory Tables show the origin and history of each Standing Order and Rule of Practice.

Joint Standing Orders of the Legislative Council and Legislative Assembly are also included herein.

SUMMARY OF TIME LIMITS UPON  
SPEECHES AND DEBATES

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*Extracted from the Standing Orders and  
Speakers' Rulings.*

**ADDRESS-IN REPLY—**

Mover	... ..	No limit
Leader for the Government, Leader for the Opposition and Leader for the Third Party ..		No limit
Any other Member	..	30 minutes

**ADJOURNMENT—**

<i>To terminate sitting</i>		
All Members	... ..	5 minutes
(No longer than 30 minutes allowed, excluding replies)		
<i>Under Standing Order No. 26*</i>		
Mover	... ..	30 minutes
Any other Member	..	15 minutes

**ALLOCATION OF TIME—**

Motion for Bill to be considered an urgent Bill	..	No debate allowed
<i>Motion specifying time allocation**</i>		
Mover	..	10 minutes
Any other Member	..	10 minutes

**BILLS (Including Appropriation Bill) —**

<i>First reading</i>	..	No debate
<i>Second reading</i>		
Mover	..	No limit
(plus reply)	..	15 minutes
Leader for the Government, Leader for the Opposition and Leader for the Third Party ..		No limit
Any other Member	..	30 minutes

**BILLS (including Appropriation Bill)***continued-**Committee of the Whole (to each Question)*

Member or Minister in Charge

Unlimited

Any other Member ..

Twice - 20 minutes  
and 10 minutes*Third reading*

Any Member ..

30 minutes

(Reply by mover) ..

15 minutes

**CLOSURE OF DEBATE—**

No debate allowed

**CLOSURE OF MEMBER—**

No debate allowed

**GRIEVANCE DEBATE— \*\*\***

Any Member ..

20 minutes

**MOTIONS (Generally)—**

Mover ..

No limit

(plus reply) ..

20 minutes

Leader for the Government, Leader for the  
Opposition and Leader for the Third  
Party ..

No limit

Any other Member ..

30 minutes

**WANT OF CONFIDENCE—**

Mover ..

No limit

(plus reply) ..

20 minutes

Leader for the Government, Leader for the  
Opposition and Leader for the Third  
Party ..

No limit

Any other Member ..

30 minutes

- 
- \* Discussion not to exceed two hours.
  - \*\* Discussion not to exceed one hour.
  - \*\*\* Discussion not to exceed four hours.

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# LEGISLATIVE ASSEMBLY

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## STANDING RULES AND ORDERS

### RELATING TO

### PUBLIC BUSINESS.

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#### CHAPTER 1.

#### INTRODUCTORY.

##### *Interpretation.*

1. In these Standing Orders, unless inconsistent with the context or subject matter—

##### **“Address-in-Reply.”**

“Address-in-Reply” means the Address to His Excellency the Governor to convey the thanks of the House in response to His Excellency’s speech addressed to Parliament at the opening of a Session.

##### **“Business.”**

“Business” means, in respect of the ordinary business of each day, Notices of Motion and Orders of the Day.

##### **“Chair.”**

“Chair” means, in the House, the Speaker, or in Committee of the whole House, the Chairman, or whoever may be performing the duties of such offices, respectively.

**"Clerk."**

"Clerk" means the Clerk of the Legislative Assembly or if he is absent or if the office is vacant, the Clerk Assistant or other officer for the time being performing the duties of the Clerk by direction of the House or Mr. Speaker.

**"Committee."**

"Committee" means Committee of the whole House.

**"House."**

"House" means the Legislative Assembly.

**"Instruction."**

"Instruction" means, in respect of the Committee of the whole House, an instruction empowering it to consider matters not otherwise referred or, in respect of a Select Committee, an instruction extending or restricting the order of reference.

**"Leave."**

"Leave", "leave of the House" or "leave of the Committee" means permission granted without a dissentient voice.

**"Order of the Day."**

"Order of the Day" means a Bill or other matter which the House has ordered to be taken into consideration on a particular day.

**"S.O."**

"S.O." means Standing Order of the Legislative Assembly No. ( ) and "S.O.s" has the corresponding meaning in the plural.

*General Rules.*

**No Member personally interested to vote.**

2. No Member shall be entitled to vote in the House, in Committee of the whole, or in a Select Committee upon any question in which he has a direct pecuniary interest, and the vote of any Member so interested shall be disallowed.

**Resort to be had in cases for which no provision is made herein to the practice of the House of Commons.**

3. In all cases not provided for herein or by Sessional or other Orders or practice of the House, resort shall be had to the Rules, Forms, Usages, and Practice of the Commons House of Parliament of the United Kingdom, which shall be followed so far as the same may be applicable.

CHAPTER 2.

SPEAKER, CHAIRMAN AND TEMPORARY CHAIRMEN.

*Election of Speaker.*

**Election of Speaker.**

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

5. The Clerk shall then ask "Is there any further proposal" and if, within two minutes thereafter, there is no further proposal, the Clerk shall say "the time for proposals has expired". No Member may then address the House or propose any other Member, and the Clerk shall declare the Member so proposed and seconded to have been elected as Speaker, and such Member shall be conducted to the Chair by his proposer and seconder, and shall take the Chair of the House as Speaker.

6. If more than one Member is proposed as Speaker the Clerk shall, after the second proposal and after each subsequent proposal (if any) is made and seconded, ask "Is there any further proposal", and if, within two minutes thereafter, there is no further proposal, the Clerk shall say, "The time for proposals has expired.". No Member may then address the House, or propose any other Member, and the House shall proceed to elect a Speaker by ballot as hereinafter provided—

- (a) The Clerk shall cause the bells to be rung for two minutes, after which the doors shall be locked.

The Clerks shall announce the names of the Members proposed (hereinafter called the candidates), and shall cause each Member present to be provided with a ballot paper certified by the Clerk, and shall also provide a ballot box and place the same upon the Table of the House.

Upon such ballot paper the Member receiving it shall write the name of one of the candidates. It shall be sufficient to write the surname only unless there are two or more candidates of the same surname, in which case the initials of the candidate or the name of his electoral district shall be added to the surname. Having marked his ballot paper as provided, the Member voting shall deposit it in the ballot box.

- (b) The proposer of each candidate shall name some Member present to be a scrutineer. The scrutineers and one of the Clerks at the Table (to be named by the Clerk) shall, when directed by the Clerk, retire and ascertain the number of votes for each candidate. Before giving such direction the Clerk shall direct that the doors be unlocked. The scrutineers shall make to the Clerk a written report of the result, which report shall be read to the House by the Clerk. Unless the Clerk otherwise directs, the same scrutineers and the same Clerk at the Table shall act in respect of all subsequent ballots and of any special ballots.
- (c) No vote shall be informal which, in the opinion of the Clerk, identifies the candidate voted for. Whenever the opinion of the Clerk is required he shall leave the Chair and shall proceed forthwith to the room where the votes are being counted, and the vote in question shall be submitted for his opinion without disclosing to him any information in regard to the number of votes received by any of the candidates.
- (d) Any candidate, with the consent of his proposer and seconder, may at any time except when a ballot or vote is actually being taken, rise in his place and require that his name be withdrawn as a candidate, and from the time of such withdrawal shall cease to be a candidate.

If, after such withdrawal, only one candidate then remains, such remaining candidate shall be declared elected as Speaker, shall be conducted to the Chair by his proposer and seconder, and shall take the Chair of the House as Speaker.

- (e) If at any ballot (not being a special ballot provided for in paragraph (h) or (i)) at which there are more than two candidates, no candidate receives an absolute majority of the votes of the Members present, another ballot shall be taken, from which shall be excluded the candidate receiving the smallest number of votes, and so from time to time when necessary until the number of candidates is reduced to two. Of such two, the candidate receiving the greater number of votes of the Members present shall be declared elected as Speaker, and he shall be conducted to the Chair by his proposer and seconder, and shall take the Chair of the House as Speaker. The provisions of paragraphs (a), (b), (c) and (d) shall apply to such ballots.
- (f) As soon as any candidate obtains an absolute majority of the votes of the Members present (whether at a ballot or in open vote), the Clerk shall declare such candidate elected as Speaker, and he shall be conducted to the Chair by his proposer and seconder, and shall take the Chair of the House as Speaker.

- (g) If at any ballot (not being a special ballot provided for in paragraph (h) or (i)) the names of only two candidates are submitted to the ballot and the number of votes for each candidate is equal, a second ballot shall be held, and if at such second ballot the number of votes for each candidate is equal, the Clerk shall so declare, and may as provided in S.O. 9 suspend the sitting. The Clerk, unless one of the candidates requires that his name be withdrawn as a candidate, shall then say, "The votes being equal at the ballot it is necessary to take an open vote to decide this question." He shall then cause the bells to be rung for two minutes, and the doors thereafter to be locked, after which he shall again inform the House of the equality of voting and of the necessity of deciding the matter by an open vote. He shall then assign a side of the House to the voters for each candidate and shall direct each Member present to vote by taking his seat according to his choice. Each Member remaining in the House shall vote. The Clerk shall then appoint tellers for each side, and with them shall count the votes, and the candidate receiving the greater number of votes shall be declared elected as Speaker, shall be conducted to the Chair by his proposer and seconders and shall take the Chair of the House as Speaker.
- (h) If at any ballot (other than a special ballot) it is impossible by reason of equality of votes, to determine which candidate shall be excluded in accordance with paragraph (e), the candidate to be excluded from the next ballot for the election of Speaker shall be determined by a special ballot, at which only the names of the candidates who received the smallest number of votes shall be submitted.

At a special ballot each Member present shall write upon his ballot paper only the name of the candidate he wishes to retain. The candidate whose name appears on the smallest number of ballot papers shall then be excluded, and the names of all the other candidates shall be submitted to the next ballot for the election of Speaker.

Subject to this paragraph the provisions of paragraphs (a), (b), (c) and (d) shall apply to any special ballot.

- (i) If after any special ballot provided for in paragraph (h), it is impossible by reason of equality of votes to determine which candidate shall be excluded, a further special ballot shall be taken at which only the names of the candidates who received the smallest number of votes at the preceding special ballot shall be submitted, and if it is still impossible by reason of equality of votes to determine which candidate shall be excluded, the Clerk shall so declare, and may, as provided in S.O. 9 suspend the sitting.

The Clerk, unless one of the candidates requires that his name be withdrawn from the ballot, shall then say "The votes being equal at the ballot it is necessary to take an open vote to decide this question.". For this purpose the procedure set out in paragraph (g) shall be followed, and the candidate receiving the smallest number of votes shall be excluded from the next ballot for the election of Speaker.

7. After the House has proceeded to the election of a Speaker, no Member shall address the House except—

- (a) to propose a Member as Speaker;
- (b) to second such proposal; or
- (c) at any time supported by five other Members, to require that the Clerk put the question "That strangers be ordered to withdraw" which question the Clerk shall forthwith put without any debate or amendment.

8. Until the Speaker is elected, the Clerk shall act as Chairman and shall decide all questions arising incidentally to such election of a Speaker. Unless otherwise directed by the House, he shall preserve the ballot papers for one month and shall then destroy them.

9. The Clerk may, whenever he thinks fit, suspend the sitting and leave the Chair for any period not exceeding two hours.

*Election of Chairman and Deputy Chairman.*

**Election of Chairman of Committees.**

10. A Member shall be appointed Chairman of Committees of the whole House.

The provisions of S.O.s 4 to 9 inclusive shall, with the necessary changes, apply to such appointment, the duties imposed by those Standing Orders on the Clerk being performed by the Speaker.

The Chairman so appointed shall continue in office during the continuance of the Assembly, unless the House shall otherwise direct.

**Deputy Chairman of Committees.**

11. The House may appoint a Deputy Chairman of Committees at any time.

*Appointment of Temporary Chairmen.*

**Temporary Chairman of Committees.**

12. At the commencement of every Session Mr. Speaker shall nominate a panel of not less than three Members who shall act as temporary Chairmen of Committees whenever requested so to do by the Chairman of Committees.

*Absence of Speaker and Chairman.*

**Deputy Speaker.**

13. Whenever requested so to do by Mr. Speaker the Chairman of Committees shall take the Chair as Deputy Speaker, without any formal communication to the House.

**Unavoidable absence of Speaker.**

14. Whenever the House shall be informed by the Clerk at the Table of the unavoidable absence of Mr. Speaker, the Chairman of Committees shall perform the duties and exercise the authority of Speaker in relation to all proceedings of the House as Deputy Speaker until the next meeting of the House, and so on from day to day on the like information being given to the House, until the House shall otherwise order or until Mr. Speaker returns, whichever be the sooner.

**Absence of Chairman of Committees.**

15. Whenever the Chairman of Committees is absent from the Chair and a Deputy Chairman of Committees has been appointed, such Deputy Chairman shall be entitled to exercise all the powers vested in the Chairman of Committees, including his powers as Deputy Speaker.

**Continued absence of Speaker.**

16. If the House be informed by the Clerk of the likelihood of the continued absence of Mr. Speaker in consequence of illness or other unavoidable cause, or if the House has granted leave of absence to Mr. Speaker, the Chairman of Committees shall continue from day to day without any further communication to the House, to perform the duties and exercise the authority of Speaker during such continued absence, and the House, during such continued absence, may appoint a Deputy Chairman of Committees who shall take the Chair as Acting Speaker in case of the unavoidable absence of the Deputy Speaker or whenever requested so to do by the Deputy Speaker during a sitting of the House.



**Absence of both Speaker and Chairman of Committees.**

17. In the event of the unavoidable absence of both the Speaker and the Chairman of Committees the Members present, if a quorum, may proceed, on motion made and seconded, to at once elect one of their number to act as Deputy Speaker for the time being, and the question in that case shall be put by the Clerk at the Table without debate, and the Member so elected shall have the same power and authority as is conferred on the Deputy Speaker by S.O. 15 ; and in the event of no such motion being carried, the Clerk shall declare the House adjourned until the next usual sitting day.

CHAPTER 3.

SITTINGS, ADJOURNMENT, STRANGERS AND RECORDS.

*Quorum.*

**If quorum of members not present half an hour after the time fixed for meeting, Speaker adjourns the House.**

18. Mr. Speaker shall take the Chair as soon after the hour appointed for the meeting of the House as there shall be a quorum\* of Members present; but if at the expiration of half an hour after the hour appointed there be not a quorum, Mr. Speaker shall then take the Chair and adjourn the House to the next sitting day.

**If quorum not present on the report of a division, Speaker adjourns the House.**

19. If it shall appear, on notice being taken, or on the report of a division of the House that a quorum of Members be not present, Mr. Speaker shall adjourn the House without a question first put till the next sitting day.

**Quorum of Committee of the whole House.**

20. The quorum in Committee shall consist of the same number of Members, exclusive of the Chairman, as is required to form a quorum of the House.

**When Chairman of Committees reports that a quorum of members is not present.**

21. If notice be taken, or appear upon a division in Committee, that a quorum of Members be not present, the Chairman shall leave the Chair and report to the House that a quorum of Members be not present.

Mr. Speaker shall count the House, and if a quorum be not present, he shall adjourn the House without question put till the next sitting day; if a quorum of Members be present the House shall again resolve itself into Committee without question put.

**Business not disposed of to take precedence next business day.**

22. The business under discussion, and any business not disposed of at the time of any such adjournment, shall take precedence of all business fixed for the next day on which the House shall sit.

**Doors unlocked when House is counted.**

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

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\* Section 40 of the *Constitution Act 1975* fixes the quorum at twenty Members, exclusive of the Speaker.

*Adjournment Motions.*

**House only adjourns by its own resolution, with exceptions.**

24. Except in the cases mentioned in S.O.s 18, 19 and 21 when Mr. Speaker adjourns the House without putting a question, the House can only be adjourned by its own resolution.

**Motions for adjournment of House.**

25. No member, unless he be a Minister of the Crown, shall be allowed to move "That the House do now adjourn", except in accordance with S.O. 26.

**Special adjournment motions.**

26. (a) A Member rising in his place may propose to move "That the House do now adjourn" for the purpose of discussing a definite matter of urgent public importance (which he shall then state and hand in writing to Mr. Speaker).

(b) The Member proposing the motion for adjournment shall not be allowed to address the House on such motion until Mr. Speaker shall have ascertained that twelve Members rise in their places, as indicating approval of the proposed discussion.

(c) In speaking to such motion debate shall be strictly confined to the subject matter stated, the mover shall not exceed thirty minutes, any other Member shall not exceed fifteen minutes, and the whole discussion on the subject shall not exceed two hours.

**Limitation of discussion.**

Provided that, with the consent of the majority of the House on a motion to be moved and determine at once without amendment or debate, a Member who speaks first for the Government, Opposition, or Third Party, respectively, may be allowed to continue his speech for a further period not exceeding five minutes.

**No second motion same day.**

27. No second motion for the adjournment of the House shall be made on the same day, except by a Minister of the Crown.

*Strangers.*

**Strangers to be taken into custody if in parts of the House appropriated to Members.**

28. The Serjeant-at-Arms attending the House shall from time to time take into his custody any stranger whom he may see, or who may be reported to him to be in any part of the House appropriated to the Members of this House, and also any stranger who, having been admitted into any other part of the House or gallery, shall misconduct himself, or shall not withdraw when strangers are directed to withdraw, while the House, or any Committee of the whole House, is sitting, and

no person so taken into custody shall be discharged out of custody without the special order of the House.

**Withdrawal of strangers.**

29. At any sitting of the House, or in Committee of the whole House, any Member may move "That strangers be ordered to withdraw", and such motion shall be put forthwith without any debate or amendment: Provided that the Chair may, at any time, order the withdrawal of strangers from any part of the House.

**No Member to bring a stranger into parts of House appropriate to Members.**

30. Unless by order of the House, no Member of this House shall presume to bring any stranger into any part of the House appropriated to the Members of this House while the House, or a Committee of the whole House, is sitting.

*Records.*

**Votes and Proceedings Journals.**

31. Every vote and proceeding of the House shall be noted by the Clerks at the Table, and the Votes and Proceedings of this House shall, being first perused by Mr. Speaker, be printed; and the Government Printer and no other do presume to print the same. The Votes and Proceedings so printed from day to day, and signed by Mr. Speaker, and countersigned by the Clerk, shall be the Journals of the House.

**Division lists.**

32. Lists of divisions in Committee of the whole House shall be printed weekly.

**Division lists entered in the Votes.**

33. An entry of the lists of divisions in the House shall be made by the Clerk in the Votes and Proceedings.

**Bills for altering certain provisions of the Constitution Act how certified.**

34. Whenever any Bill for repealing, altering, or varying all or any of the provisions of the Constitution Act, and for substituting others in lieu thereof, shall have passed its second and third readings in the Assembly, with the concurrence of an absolute majority of the whole number of the Members of the Legislative Assembly, the Clerk or other proper officer of the Assembly shall certify accordingly.

CHAPTER 4.

ATTENDANCE AND PLACES OF MEMBERS.

*Leave of Absence.*

**Every Member to attend the service of the House unless on leave of absence.**

35. (a) Every Member shall attend the service of the House, unless leave of absence be given him by the House on account of his own illness, the illness or death of a near relation, urgent business, or for other sufficient cause to be stated to the House.

**Notice to be given to motions for leave of absence.**

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

**Leave of absence forfeited.**

36. Any member having leave of absence shall forfeit the same by attending the service of the House before the expiration of such leave.

*Calls of the House.*

**Calls of the House.**

37. When an order shall be made that this House be called, Members who do not attend the call shall be sent for in custody of the Serjeant-at-Arms.

**Call of the House not to be made earlier than seven days from date of order.**

38. No such order shall, except upon pressing necessity, be made for any day earlier than seven days from the date of such order, inclusive of the day of such order.

**Order for call of the House to be forwarded by post.**

39. (a) A copy of the order for a call of the House, signed by the Clerk, shall be forwarded by post, addressed to each Member of the House.

**Members to leave addresses with Serjeant-at-Arms.**

(b) For the purpose of enabling this notice to be given, every Member shall at the commencement of each Session, or as soon as he shall have taken his seat, enter his name and address in a book to be kept by the Serjeant-at-Arms.

**Call of the House an Order of the Day.**

40. The order for calling over the House on a future day shall be set down as an Order of the Day for the day so appointed.

**Order in which names are called.**

41. (a) When the Order of the Day for calling over the House shall be read, unless the same be postponed or discharged, the names of the Members shall be called over by the Clerk in the alphabetical order of the several electoral districts they represent.

**Members not present but subsequently attending.**

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

*Places in the House.*

**Members' places secured.**

42. A Member may be permitted to secure a place in the Assembly Chamber by leaving a book, hat, or glove upon it, before motions are called on.

**Obeisance to Chair.**

43. Every Member shall make obeisance to the Chair in passing to and from his seat.

**Members leaving their seat.**

44. No Member shall pass between the Chair and any Member who is speaking; nor between the Chair and the Table; nor between the Chair and the Mace when the Mace has been taken off the Table by the Serjeant.

**Entering the House.**

45. Every Member of this House, when he comes into the House, shall take his place, and shall not stand in any of the passages or gangways.

**Members not to read newspapers &c.**

46. No Member shall read any newspaper, book, or letter in his place unless in addressing the Chair.

CHAPTER 5.

NOTICES, ORDERS OF THE DAY, MOTIONS, QUESTIONS AND RESOLUTIONS.

*Notices of Motion and Orders of the Day.*

**Notices of motion, when received.**

47. No notice of motion shall be received after the House shall have proceeded to the business of the day as set down in the Notice Paper.

**Motions cannot be made except in pursuance of notice. Notices to be printed.**

48. No Member shall make any motion initiating a subject for discussion but in pursuance of notice openly given at a previous sitting of the House; such notice shall be printed and circulated on the Notice Paper.

**Notices may be expunged.**

49. Any notice containing unbecoming expressions may be expunged from the Notice Paper, by order of the House.

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

50. Every Member in giving notice of a motion shall read it aloud, and deliver at the Table a copy of such notice, fairly written, together with his name and the day proposed for bringing on such a motion.

**Restriction upon giving notices.**

51. No notice may be given beyond the period which includes the four sitting days next following on which Government business has not precedence.

52. A Member desiring to change the day for bringing on a motion may give notice of such motion for any day subsequent to that first named, but not earlier, subject to the same rules as other notices of motions.

**Notices postponed Terms may be altered.**

53. After a notice of motion has been given, the terms thereof may be altered by the Member on delivering at the Table an amended notice, at least one day prior to the day for proceeding with such motion.

**Notices of motion take precedence.**

54. Notices of motion shall, except on days appointed by the House for Government business taking precedence, take precedence of Orders of the Day, unless the House shall otherwise direct.

**Clerk to read the Orders of the Day without any question being put.**

55. After notices of motions shall have been disposed of, Mr. Speaker shall direct the Clerk at the Table to read the Orders of the Day without any question being put.

**Ministers to arrange Government orders.**

56. The Orders of the Day shall be disposed of in the Order in which they stand upon the paper, the right being reserved to Her Majesty's Ministers of placing Government orders at the head of the list, in any order they wish, on the days on which Government business has precedence.

**Dropped motions and orders.**

57. All dropped motions and Orders of the Day shall according as they shall relate to Government business, or general business, be set down in the Notice Paper after the notices of motion and Orders of the Day respectively, for the next day on which the House shall sit.

**An order discharged.**

58. An order of the House may be read and discharged.

**Grievances.**

59. The first Order of the Day on every third Thursday after the opening of the Session shall be the question "That grievances be noted", to which question any Member may speak for not more than twenty minutes and the whole discussion on this question shall not exceed four hours.

*Motions and Questions.*

**Motions for unopposed return.**

60. A Member may, by leave, move for any unopposed return without having given any previous notice.

**Precedence of Motions.**

61. Motions shall have precedence on each day according to the order in which the notices for the same were given.

Provided that-

- (a) Government Business motions shall be given priority over General Business motions unless the House shall otherwise direct; and
- (b) an urgent motion, directly concerning the privileges of the House, will take precedence of other motions, as well as Orders of the Day.



**Questions proposed.**

62. (a) When a motion has been made and seconded a question thereupon shall be proposed to the House by Mr. Speaker.

**Motions not seconded.**

(b) Any motion not seconded may not be further debated, and no entry thereof shall be made in the Votes.

**Withdrawal of motions.**

63. A Member who has made a motion may withdraw the same by leave of the House or of the Committee.

**The same question not to be again proposed, but motion withdrawn may be made again.**

64. No motion shall be made which is the same in substance as any question which during the same Session has been resolved in the affirmative or negative, but any motion which has been withdrawn may be made again during the same Session.

*Superseding Motions.*

**Questions superseded: - (a) By adjournment.**

65. A question may be superseded—

(a) by adjournment

(a) by the adjournment of the House, either on the motion of a Member "That the House do now adjourn", or on notice being taken, and it appearing that a quorum of Members is not present;

**(b) By reading the Orders of the Day.**

(b) by a motion "That the Orders of the Day be now read"; or

**(c) By previous question.**

(c) by the previous question, viz. : "That this question be now put", being proposed and negatived.

**Previous questions resolved in the affirmative.**

66. If the previous question be resolved in the affirmative, the original question shall be put forthwith, without any amendment or debate.

**Previous question, &c., superseded by adjournment.**

67. A question for reading the Orders of the Day, an amendment and also the previous question may be superseded by the adjournment of the House.

**Debate interrupted.**

68. The debate upon a question may be interrupted—

- (a) by a matter of privilege suddenly arising;
- (b) by words of heat between Members;
- (c) by a question of order;
- (d) by a message from the Council;
- (e) by a motion for reading an Act of Parliament, an entry in the Journal, or other public document, relevant to the question before the Chair.

**Complicated question may be divided.**

69. The House may order a complicated question to be divided.

**Closure of debate.**

70. (a) After any question has been proposed either in the House or in Committee any Member, rising in his place, and without notice, and whether any other Member is addressing the Chair or not, may move "That the question be now put", and unless it shall appear to the Speaker or Chairman that such motion is an abuse of the rules and forms of the House, an infringement of the rights of the minority, or is moved for the purpose of obstructing business, such closure motion shall be put forthwith and decided without amendment or debate, and no other motion shall be made or question of order raised until such motion has been disposed of.

(b) When the closure motion has been carried, and the question consequent thereon has been decided, any further motion may be at once made to bring to a decision any question already proposed from the Chair, and if a clause be then under consideration, a further closure motion may be made, That the question, That certain words of the clause defined in the motion stand part of the clause, or That the clause or the clause as amended stand part of or be added to the Bill, be now put. Such motions (the assent of the Chair as aforesaid not having been withheld) shall be put forthwith and decided without amendment or debate, and no other motion shall be made or question of order raised until such motion has been disposed of.

(c) If any closure motion be negatived no similar motion shall be received within half an hour of the declaration of the preceding Decision.

*Resolutions.*

**Resolution or vote rescinded.**

71. A resolution or other vote of the House may be read and rescinded.

CHAPTERS 6.

AMENDMENTS.

**Different forms of amendment.**

72. A question having been proposed may be amended by leaving out certain words, or by leaving out certain words in order to insert other words, or by inserting or adding words.

**Debate on amendment.**

73. Debate on an amendment shall be strictly confined to the terms of that amendment.

**Amendments to be seconded.**

74. In the House, any amendment not seconded, may not be further debated, and no entry thereof shall be made in the Votes.

**Proposed amendment withdrawn.**

75. A proposed amendment may, by leave of the House or the Committee, be withdrawn.

**Amendments to proposed amendments.**

76. Amendments may be proposed to a proposed amendment, as if such proposed amendment were an original question.

**When later part of a question has been amended or proposed to be amended.**

77. No amendment shall be proposed in any part of a question after a later part has been amended, or has been proposed to be amended, unless the proposed amendment has been withdrawn.

**No amendment to be made to words already agreed to.**

78. No amendment shall be proposed to any words which it has been resolved shall stand part of, or shall be inserted in, or added to, a question, except an amendment to add other words thereto.

**Amendment to insert or add words.**

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

**Amendment to leave out.**

80. When the proposed amendment is to leave out certain words, the Chair shall put a question, "That the words proposed to be left out stand part of the question", which shall be resolved in the affirmative or negative, as the case may be.

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

81. When the proposed amendment is to leave out certain words, in order to insert other words, the Chair shall put a question, "That the words proposed to be left out stand part of the question", which, if resolved in the affirmative, will dispose of the amendment; but if in the negative, and there is no motion for amending the words proposed to be inserted, another question shall be put, "That the words proposed to be inserted be so inserted", which shall be resolved in the affirmative or negative, as the case may be.

**Greater or lesser sum, or longer or shorter time.**

82. When there comes a question between the greater and lesser sum, or the longer or shorter time, the least sum and the longest time shall first be put to the question.

**Question as amended put.**

83. When amendments have been disposed of, the main question or the question as amended shall be put.

## CHAPTER 7.

### DEBATE.

#### *Rules of Debate.*

#### **Members to address Mr. Speaker.**

84. Every Member desiring to speak shall rise in his place and address himself to Mr. Speaker.

#### **Members speak to the question.**

85. A Member may speak to any question before the House, or upon any amendment proposed thereto, or upon a question or amendment to be proposed by himself, or upon a question of order arising out of the debate, but not otherwise.

#### **Speaking to order.**

86. Any Member may rise to speak "to order", or upon a matter of privilege suddenly arising.

#### **Question put and again stated.**

87. So soon as the debate upon a question shall be concluded, the Chair shall put the question to the House or to the Committee, as the case may be, and if the same should not be heard, shall again state it.

#### **No Member to speak after question has been put.**

88. No Member may speak to any question after the same has been put from the Chair and the voices have been given in the affirmative and negative thereon.

#### **Mr. Speaker calls upon Members to speak.**

89. When two or more Members rise to speak, the Chair calls upon the Member who first rose in his place.

#### **Motion that a Member be now heard.**

90. A motion may be made that any Member who has risen "be now heard", or "do now speak."

#### **Member be not further heard.**

91. A motion, without notice, may be made, that a Member who is speaking, "be not further heard", and if it shall appear to the Chair that such Member has already had full opportunity of stating his views on the question and is using his right to speak in such a manner as to be an abuse of the rules and forms of the House or for the purpose of obstructing business, and that such motion, if carried, would not be an infringement of the rights of the minority, such motion shall be put forthwith and decided without amendment or debate, and no other motion shall be made or question of order raised until such motion has been disposed of.

**Personal explanation.**

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

**Debates of same Session not to be alluded to.**

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

94. No Member shall—

**Reports of speeches of same Session not to be read.**

- (a) read from a printed newspaper or book the report of any speech made in Parliament during the same Session, unless such report refer to the debate then proceeding ; or

**Extracts referring to debates not to be read.**

- (b) read extracts from newspapers or other documents referring to debates in the House during the same Session.

**Allusion to debates in the other House.**

95. No member shall allude to any debate in the other House of Parliament, or to any measure pending therein, except that whenever a Member of this House believes himself to have been seriously misrepresented by statements made in the same Session in the other House of Parliament, he may, having established to the satisfaction of Mr. Speaker that he had been seriously misrepresented, seek leave of the House to make a personal statement in refutation or by way of explanation. This statement may not be debated.

**Reflections upon votes of the House.**

96. No member shall reflect upon any vote of the House, except for the purpose of moving that such vote be rescinded.

**Offensive words against either House &c.**

97. No member shall use offensive words against either House of Parliament; nor against any statute, unless for the purpose of moving for its repeal.

**No Member may refer to any other Member by name.**

98. No member shall refer to any other Member by name, except for the purpose of distinguishing him from other Members returned for the same electoral district.

**Digressions.**

99. No Member shall digress from the subject matter of any question under discussion.

**Debate on motion for adjournment.**

100. When a motion is made for the adjournment of a debate or of the House during any debate, the debate thereupon shall be confined to the matter of such motion.

**When mover of adjournment entitled to speak again.**

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

*Time Limits and Right of Reply.***No Member to speak twice to a question.**

102. No member may speak twice to a question before the Chair except—

**Exceptions.**

- (a) to explain himself in regard to some material part of his speech, without introducing any new matter;
- (b) in Committee of the whole House; or
- (c) in reply as provided hereunder.

**Right of Reply.**

103. A reply shall be allowed to a Member who has moved a substantive motion or the second reading or third reading of a Bill, but not to a Member who has moved an amendment or an instruction to a Committee.

Such reply shall be confined to matters raised during the debate and shall close the debate on the original question.

No such reply shall exceed twenty minutes in the case of a substantive motion or in any other case fifteen minutes.

**Time limit of Speeches - Debates in the House.**

104. No Member shall speak for more than thirty minutes in any debate in the House.

Provided that, with the consent of a majority of the House on a motion to be moved and determined at once without amendment or debate, a Member may be allowed to continue his speech for a further period not exceeding twenty minutes.

Provided also that this Rule shall not apply to a Member moving the second reading of a Bill or a substantive and independent motion, or to the mover of a direct want of confidence, or to the Leader of the Government, Leader of the Opposition or Leader of the Third Party or to any Member deputed by any such Leader to speak first on any of such motions; but when any leader so deposes his right he shall then be limited to the same extent as other Members.

**Debates in Committee of the House.**

In Committee, except as hereinbefore provided, no Member other than a Member in charge of a Bill or motion, or Minister in charge of an Estimate, shall speak more than twice on any one question, nor more than twenty minutes on the first occasion, and ten minutes on the second occasion.

*Allocation of Time Orders.*

**Limitation of debate - Bill may be declared an urgent Bill - Allotment of time.**

105. (a) On the reading of a Message from the Governor recommending an appropriation in connexion with any Bill, on the calling on of a motion for leave to introduce a Bill, or at any stage of a Bill, a Minister may declare that the Bill is an urgent Bill, and move "That the Bill be considered an urgent Bill"; and if twenty Members thereupon rise in their places as indicating approval of the motion being put, such motion shall be put forthwith, no debate or amendment being allowed; and on such motion being agreed to a Minister may forthwith, or at any time during any sitting of the House or Committee, but not so as to interrupt a Member who is addressing the House or Committee, move a further motion or motions specifying the time which (exclusive of any adjournment or suspension of sitting, and notwithstanding anything contained in any other Standing Order or any Sessional Order) 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 Committee stage of the Bill;
- (iv) The remaining stages of the Bill;

and the order with regard to the time allotted to the Committee stage 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.

**Urgent motion.**

(b) 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 move "That the motion be considered an urgent motion"; and if twenty Members thereupon rise in their places as indicating approval of the motion being put such motion shall be put forthwith—no debate or amendment being allowed; and on such motion being agreed to a Minister may forthwith move a further motion specifying the time which (exclusive of any adjournment or suspension of sitting, and notwithstanding anything contained in any other Standing Order or any Sessional Order) shall be allotted to the motion.



**Limitation of debate as to allotment of time.**

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

**Speaker or Chairman to put the question forthwith at time appointed for conclusion of proceedings.**

(d) 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 Chair shall at the time appointed under the motion for the conclusion of those proceedings put forthwith the question on any amendment or motion already proposed from the Chair; and, in the case of the consideration of any Bill in Committee or on any of the remaining stages, shall then put any clauses and schedules and any amendment and new clauses and schedules desired by the Government—copies of which have been circulated by the Government among Members two hours at least before the expiration of the allotted time—and any other question requisite to dispose of the business before the House or Committee. No other amendments new clauses, or schedules shall be proposed.

**Dilatory motions, instructions to Committee &c.**

(e) On any day on which any proceedings are to be brought to a conclusion under this Standing Order no dilatory motion on such proceedings, nor motion for an instruction to the Committee on a Bill which is the subject of such proceedings, nor motion to postpone a clause, nor motion to recommit the Bill shall be received unless moved by a Minister, and the question on any such motion shall be put forthwith without amendment or debate, and no motion for the adjournment of the House under Standing Order No. 26 shall be entertained.

**Standing Order for closure of debate not to apply.**

(f) Standing Order No. 70 (Closure of Debate) shall not apply to any proceedings in respect of which time has been allotted in pursuance of this Standing Order.

**Business to be proceeded with at time specified.**

(g) Where any time has been specified for the commencement of any proceedings in connexion with any business under this Standing Order, when the time so specified has been reached the business, whatsoever its nature be, then before the House or 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.

*Maintenance of Order.*

**Order maintained by Speaker and Chairman of Committees.**

106. (a) Order shall be maintained in the House by Mr. Speaker, and in Committee of the whole House by the Chairman.

(b) If any sudden disorder shall arise in Committee, Mr. Speaker shall resume the Chair, without any question being put.

(c) Disorder in Committee can only be censured by the House on receiving a report.

**When Speaker rises, House to be silent.**

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

**Offensive words digressions and imputations.**

108. No Member shall use offensive or unbecoming words in reference to any Member of the House and all imputations of improper motives and all personal reflections on Members shall be deemed disorderly.

**Irrelevance or tedious repetition.**

109. After the Chair called the attention of the House or of the Committee to the conduct of a Member who persists in irrelevance or tedious repetition, either of his own arguments or of the arguments used by other Members in debate, a motion may be made "That Mr. Speaker (or the Chairman) do direct the Member to discontinue his speech", which question shall be put forthwith without amendment or debate, and if the same be decided in the affirmative the Chair shall direct the Member accordingly.

**Words taken down by direction of Speaker.**

110. (a) When any Member shall object to words used in debate, and shall desire them to be taken down, the Chair, if it be the pleasure of the House or the Committee, will direct them to be taken down by the Clerk accordingly.

**Words taken down in Committee.**

(b) The words so objected to and directed to be taken down in a Committee of the whole House may be reported to the House.

**Words to be objected to when used.**

111. Every objection to words used shall be taken at the time when such words are used, and not after any other Member has spoken.

**Members not explaining or retracting.**

112. Any Member having used objectionable words, and not explaining or retracting the same, or offering apologies for the use thereof, to the satisfaction of the House will be censured, or otherwise dealt with as the House may think fit; and any Member called to order shall sit down unless permitted to explain.

**House will present quarrels.**

113. The House will interfere to prevent the prosecution of any quarrel between Members, arising out of debates or proceedings of the House, or in Committee.

**No noise or interruption will be allowed during a debate.**

114. No Member shall presume to make any noise or disturbance whilst any Member is orderly debating, or whilst any matter is being read, and in such cases Mr. Speaker shall call upon the Member making such disturbance by name, and every such person will incur the displeasure and censure of the House.

**Rules of debate in Committee.**

115. The several rules for maintaining order in debate shall be observed in Committee of the whole House.

**When Speaker calls upon any Member by name.**

116. When, in consequence of highly disorderly conduct, Mr. Speaker shall call upon any Member by name, such Member shall withdraw as soon as he has been heard in explanation; and after such Member's withdrawal the House shall at once take the case into consideration.

**Disorderly conduct - Suspension of a Member.**

117. Whenever the offence of disregarding the authority of the Chair or of abusing the Rules of the House by persistently and wilfully obstructing the business of the House or of disorderly conduct or otherwise, has been committed by a Member in the House and the offending Member has been named by Mr. Speaker or by the Chairman of Committees immediately thereafter, Mr. Speaker shall forthwith put the question, on a motion being made, "That such Member be suspended from the service of the House"; and, if the offence has been committed in a Committee of the whole House, the Chairman shall forthwith suspend the proceedings of the Committee and report the circumstance to the House; and Mr. Speaker shall, on motion being made, forthwith put the same question, as if the offence had been committed in the House itself.

**Member suspended to withdraw from House.**

Any Member suspended under this Order, shall withdraw immediately from the House during the remainder of that day's sitting; and the Serjeant-at-Arms shall act on such orders as he may receive from the Chair in pursuance of this resolution.

Nothing herein shall be taken to deprive the House of the power of proceeding against any Member according to ancient usage.

**Member to withdraw while his conduct is under debate.**

118. Every Member against whom any charge has been made, having been heard in his place, shall withdraw while such charge is under debate.

**When guilty of contempt.**

119. Any Member or other person who wilfully disobeys any lawful order of the House and any Member or other person who wilfully or vexatiously interrupts the orderly conduct of the business of the House, shall be guilty of contempt.

**Fees payable on arrest or commitment.**

120. The following scale of fees shall be payable to the Serjeant-at-Arms on the arrest or commitment of any person by order of the House, and no person shall, without the express direction of the House, be discharged out of custody until such fees be paid or the Session of Parliament concluded :—

	\$
For arrest	100
For commitment	100
For each day's detention including sustenance	10

*Questions on Notice and Questions without Notice.***Questions to Minister or other Members.**

121. Questions may be put to Ministers of the Crown relative to public affairs, and to other Members relating to any Bill, motion, or other public matter connected with the business of the House in which such Members may be concerned, in accordance with the following Standing Orders.

**Written questions.**

122. Notice of a written question shall be given by a Member delivering it to the Clerk within such time as, in the opinion of the Speaker, will enable the question to be fairly printed. The question shall be fairly written, signed by the Member, and shall show the day proposed for asking such question.

**Reply delivered to Clerk and copy printed in Hansard.**

123. The reply to a question on notice shall be given by delivering the same to the Clerk at the Table. A copy thereof shall be supplied to the Member who has asked the question, and such question and reply shall be printed in Hansard.

**Oral questions.**

124. A Member may be at liberty to ask an oral question without notice at the time of giving notices of motion. Provided that such questions may be asked from the time Mr Speaker calls on Questions until the lapse of—(a) 45 minutes on Tuesday; and (b) 30 minutes on other days.

**Form of question.**

125. The Speaker may direct that the language of a question be changed if it seems to him unbecoming or not in conformity with the Standing Orders and practices of the House.

**Questions not to involve argument.**

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

**In answering a question the matter not to be debated.**

127. In answering any question a Member shall not debate the matter to which the same refers.

CHAPTER 8.

BILLS.

*Initial Stages.*

**Bills ordered - Members appointed to bring in Bills.**

128. (a) Every Bill shall be ordered to be brought in upon motion made and question put, that leave be given to one or more Members named by the House to prepare and bring in such Bill.

**Members added.**

(b) Members may be added to those originally ordered to prepare and bring in a Bill.

**Instructions.**

(c) Instructions may be given to such Members to make further provision in any such Bill before the same is brought in.

**Bills ordered to be withdrawn.**

129. Every Bill not prepared pursuant to the order of leave, or according to the rules and orders of the House, will be ordered to be withdrawn.

**Bills presented by a Member.**

130. A Bill shall be presented by a Member, following which the first reading shall be proposed immediately.

**First reading and printing without debate.**

131. When any Bill shall be presented by a Member, in pursuance of an order of the House, or shall be brought up from the Legislative Council, the questions, "That this Bill be now read a first time", and "That the Bill be printed", shall be decided without amendment or debate.

*Second Reading.*

**Bill ordered to be read a second time.**

132. A Bill (other than an Appropriation or Supply Bill) having been read a first time shall, except by special leave of the House, be ordered to be read a second time on a future day.

**Second reading.**

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

**Amendments to questions for second reading.**

134. Amendments may be moved to such question by leaving out "now", and inserting "three months", "six months", or any other time ; or the motion may be negatived.

**Amendments to be relevant.**

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

*Committal.***Bill committed.**

136. A Bill having been read a second time may be ordered to be committed to the Committee of the whole House or to a Select Committee, unless the House grants leave for the question "That the Bill be now read a third time" to be proposed forthwith.

**Instructions to Committee.**

137. (a) Instructions may be moved ordering a Committee to make provision in a Bill; but not to empower a Committee to make any provision if they already have that power.

(b) Such instructions ought not to be moved by way of amendment.

**Questions decided without amendment or debate.**

138. On Mr. Speaker putting the questions, "That this Bill be committed", "That this Bill be now committed", "That I do now leave the Chair?", such questions shall be decided without amendment or debate.

**Committee of the whole House on the Bill.**

139. On the Order of the Day being read for the Committee on a Bill, Mr. Speaker puts the question, "That I do now leave the Chair", which being resolved in the affirmative, the House resolves itself into a Committee of the whole House on the Bill; but where the Committee has reported progress, the Speaker leaves the Chair without putting any question.

*Consideration in Committee.***Bills may be considered in Committee together.**

140. Bills fixed for consideration in Committee on the same day, whether in progress or otherwise, may be referred together to Committee, which may consider on the same day all the Bills so referred to it, without the Chairman leaving the Chair on each separate Bill: Provided that, with respect to any Bill not in progress, if any Member shall raise an objection to its consideration such Bill shall be postponed.

**Preamble postponed without question.**

141. In Committee on a Bill, the preamble stands postponed until after the consideration of the clauses, without question put and every clause is considered by the Committee *seriatim*.

**Clauses postponed.**

142. Any clause may be postponed, unless the same has already been considered and amended.

**Clause to stand part of the Bill.**

143. A question shall be put that each clause (or each clause as amended) stand part of the Bill.

**Amendments to clauses &c.**

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

**Preamble agreed to.**

145. After every clause and schedule has been agreed to, and any clauses added which are within the title of the Bill, or pursuant to any instruction, the preamble is considered, and if necessary amended; and a question is put, "That this be the preamble of the Bill".

**Proceedings in Committee not to be noticed until reported.**

146. No notice may be taken of any proceedings in Committee or a Select Committee on a Bill, until such proceedings or Bill shall have been reported.

**Chairman to report Bill.**

147. The Bill having been fully considered, the Chairman is directed to report the Bill (with or without amendment) to the House.

*Proceedings following Committee Report.*

**Bill reported-**

148. At the close of the proceedings of a Committee of the whole House on a Bill, the Chairman shall report the Bill forthwith to the House.

**(a) Without amendment.**

149. (a) A Bill being reported without amendment shall be ordered to be read a third time, at such time as may be appointed by the House.



**(b) With amendments.**

(b) When the Committee has made amendments the report shall be received without debate, and a time appointed for taking it into consideration.

**Amendments to be considered on future day.**

150. Unless otherwise directed, amendments made to public Bills by the Committee shall be appointed to be considered on a future day.

**Clauses offered in Committee on consideration of report and third reading.**

151. On a clause being offered in Committee, or on the consideration of report or third reading of a Bill, the Chair shall desire the Member to bring up the same, whereupon it is to be read a first time without question put; but no clause is to be offered on consideration of report or third reading without notice.

**Bills recommitted.**

152. On consideration of the Bill as amended, the Bill may be ordered to be recommitted to Committee, or to a Select Committee.

**Certificate of Chairman.**

153. Before any Bill shall be read a third time the Chairman of Committees shall certify that it is in accordance with the Bill as agreed to by the Committee.

*Third Reading.*

**Order for third reading discharged.**

154. The order for the third reading of a Bill may be read and discharged, and the Bill ordered to be recommitted.

**Third reading.**

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

**Clauses added and amendments made.**

156. A Bill having been read a third time, clauses may be read three times and added to the Bill, and other amendments made.

**Further proceeding on third reading adjourned.**

157. The further proceeding on a third reading may be adjourned to a future day.

*Transmission to Council, Governor's Amendments, Council Amendments and Council Bills.*

**Bills sent to the Legislative Council.**

158. When all the proceedings on a Bill have been concluded, the Bill shall be ordered to be transmitted to the Legislative Council and their concurrence desired ; or (if such Bill has been brought from the Legislative Council) a Message shall be ordered to be sent to acquaint the Legislative Council either that this House has agreed to the same "without amendment", or "with an amendment (or amendments)" with which they desire the concurrence of the Legislative Council.

**Transmitting or returning Bill.**

159. No amendment or debate shall be allowed on the question of transmitting or returning a Bill to the Legislative Council.

**Bills returned from the Legislative Council.**

160. When a Bill is returned from the Legislative Council with amendments such amendments shall be read twice and agreed to, or agreed to with amendments, or disagreed to, or the further consideration thereof put off for three or six months, or the Bill ordered to be laid aside.

**Amendments of Legislative Council.**

161. Amendments by the Council to public Bills shall be appointed to be considered on a future day unless the House shall order them to be considered forthwith.

**Amendments proposed by Governor.**

162. Whenever the Governor shall transmit by message to the House any amendment which he shall desire to be made in any Bill presented to him for Royal assent, the amendment shall be treated and considered in the same manner as amendments of the Legislative Council.

**When Governor's amendments are agreed to, to be sent to Legislative Council.**

163. When the House shall have agreed to any amendment proposed by the Governor, such amendment shall be forwarded to the Legislative Council for their concurrence.

*Expediting Passage of Urgent Bills.*

**Bills passed with unusual expedition.**

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

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*Temporary Laws, Correction of Errors, and Restoration of Lapsed Bills.***Temporary laws.**

165. The precise duration of every temporary law shall be expressed in a distinct clause at the end of the Bill.

**Clerk may correct errors.**

166. (a) Clerical or typographical errors may be corrected in any Bill by the Clerk before it is transmitted to the Legislative Council.

(b) The Clerk shall forthwith inform the House of any clerical errors so corrected in any Bill.

**Restoration of lapsed Bills.**

167. When a motion to bring in any public Bill is agreed to, if such Bill bears a certificate from the Clerk that it is identical with a Bill as last agreed to by the House, which passed its second reading in the previous Session of the same Parliament, but was not finally disposed of by both Houses when the Session closed, then a motion may be made that such Bill be advanced to the stage it had reached in the Legislative Assembly in the former Session or to any earlier stage.

If such motion be agreed to, the Bill shall thereupon be passed, without amendment or debate, through each of the stages authorized by the motion agreed to by the House, and thereafter shall be proceeded with and dealt with in the same manner as other Bills.

*Private Bills.***Procedure on decision that a Bill ought to have been introduced as a private Bill.**

168. (a) Following the introduction and explanation of the purposes of a Bill such Bill shall be treated as a public Bill unless in the opinion of Mr Speaker the Bill is a private Bill, in which event he shall forthwith announce such an opinion.

(b) Where the Speaker has ruled a Bill to be a private Bill and unless the House expresses the opinion that such Bill should be dealt with as a public Bill, he shall cause to be published in a newspaper circulating generally in Victoria, and where applicable, in a newspaper circulating within the locality affected thereby, a statement of the general nature and objects of the Bill. Any party which considers itself to be directly adversely affected by any provisions in the Bill shall submit written details of such effect within fourteen days of the date of the publication of the Speaker's statement.

(c) In the event that any party submits such written objection to a private Bill within the specified time the Speaker shall appoint a panel of examiners consisting of not less than three Temporary Chairmen of Committees to consider and report to him as to whether or not any objection appears to raise matters of sufficient importance to warrant the appointment of a Select Committee to consider the Bill.

The Speaker shall acquaint the House of the recommendation of the panel in each case.

(d) Unless the House expresses the view that fees should be dispensed with - (i) before any private Bill is read a second time in the Legislative Assembly, a deposit of \$1000 shall be paid to the Department of the Legislative Assembly; and (ii) the promoter shall be liable to pay the costs of printing and circulation of the Bill; the advertisements placed pursuant to S.O. 168(b); all costs of a Select Committee appointed pursuant to S.O. 168(c); and any other expenses involved in the preparation and passage of the Bill.

(da) The sum of such amounts (less the deposit of \$1000) shall be paid to the Department of the Legislative Assembly before the Clerk of the Parliaments presents the Bill for Royal Assent.

(e) Subject only to the above exceptions, the proceedings upon a private Bill shall be governed by the Standing Orders relating to public Bills.

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**CHAPTER 9.****FINANCIAL PROCEDURES.****Appropriation, Supply, and taxing Bills may be presented without notice.**

169. (a) An Appropriation or Supply Bill may be presented to the House without notice and, having been read a first time, may be ordered to be read a second time forthwith.

(b) Any Bill which imposes any tax, impost or charge may be presented to the House without notice.

**Messages from Governor for appropriation of public moneys.**

170. No proposal for the appropriation of any public moneys shall be made unless the purpose of the appropriation has been recommended to the House in the same Session by a Message from the Governor; but a Bill which requires the Governor's recommendation, except an Appropriation or Supply Bill, may be introduced and proceeded with before the message is announced.

**Further Governor's Message.**

No amendment of such proposal shall be moved which would increase or extend the objectives and purposes or alter the destination of the appropriation so recommended unless a further Message is received.

**Proposal for increase in tax to be only made by Minister.**

171. No proposal for the imposition or for the increase or for the alteration of the incidence of a tax, rate, duty or impost shall be made except by a Minister, and no Member, other than a Minister, may move an amendment to increase or extend the incidence of the charge defined by that proposal unless the charge so extended shall not exceed that already existing by virtue of any Act of Parliament.

**Appropriation Bill.**

172. In framing the Annual Estimates of Expenditure the several divisions thereof shall be expressly stated therein, and be appended to the Appropriation Bill in the form of a Schedule thereto, being printed under the same divisions, sub divisions and items of sub divisions as have been employed in the Treasurer's annual Estimates of Expenditure. In Committee each division of expenditure appearing in the said Schedule shall be considered in the order in which it is shown therein.

**Penalties, forfeitures, and fees.**

173. With respect to any Bill brought to the House from the Legislative Council, or returned by the Legislative Council to the House, with amendments, whereby any pecuniary penalty, forfeiture, or fee shall be authorized, imposed, appropriated, regulated, varied, or extinguished, the House will not insist on its privileges in the following cases:—

- (a) When the object of such pecuniary penalty or forfeiture is to secure the execution of the Act, or the punishment or prevention of offences.
- (b) Where such fees are imposed in respect of benefit taken or service rendered under the Act, and in order to secure the execution of the Act, and are not made payable into the Treasury, or in aid of the public revenue, and do not form the ground of public accounting by the parties receiving the same, either in respect of deficit or surplus.
- (c) When such Bill shall be a private Bill for a local or personal Act.

## CHAPTER 10.

## DIVISIONS.

**Question determined by majority of voices.**

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

**Chair states whether "Ayes" or "Noes" have it.**

175. The Chair shall state whether the "Ayes" or the "Noes" have it, and unless this opinion be acquiesced in by the minority, the question shall be determined by a division.

**Divisions in Committees.**

176. Divisions shall be demanded and taken in Committee of the whole House in the same manner as in the House itself.

**Clerk to ring bells and turn sandglass.**

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

**Doors closed after the lapse of two minutes.**

178. The doors shall be closed and locked as soon after the lapse of two minutes as the Chair shall think proper to direct, and no Member shall enter or leave the House until after the division.

**Question put, and "Ayes" and "Noes" to take different sides of the House or go into lobbies.**

179. When the doors have been locked, and all the Members are in their places, the Chair shall put the question, and after the voices have been given, shall declare whether the "Ayes" or the "Noes" have it and if such opinion is not agreed to, the Chair shall direct the "Ayes" into the right lobby, or right side of the House, and the "Noes" into the left lobby, or left side of the House, and shall appoint two tellers for each side of the question.

**If not two tellers not division allowed.**

180. In use thereof, should not be two tellers for one side of the question, the Chair shall forthwith declare the resolution of the House.

Provided that if one Member only calls for a division that Member may inform the Speaker that he wishes his dissent to be recorded in the Votes and Proceedings and his dissent shall thereupon be so recorded.

**Members' names taken down.**

181. If the Chair shall direct the Members to proceed to the lobbies, the name of every Member in returning from either lobby shall be taken down by the tellers.

**No Member to vote unless present when the question put.**

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

**Every Member then present must vote.**

(b) Every Member present in the House when the question is put will be required to vote.

**Speaking to order during a division.**

183. Members can only speak to a point of order while the House as dividing, by permission of the Chair.

**Numbers reported.**

184. (a) The numbers shall be reported to the Chair, who shall declare them.

**In case of confusion or error, House again divides.**

(b) In case of confusion, or error concerning the numbers reported, unless the same can be otherwise corrected, another division will be proceeded with.

**Mistakes corrected in Votes and Proceedings.**

185. If the numbers have been inaccurately reported to the House, or to the Committee, the House, on being afterwards informed thereof, will Order the official record to be corrected.

**When votes equal Chair gives casting vote.**

186. (a) In case of an equality of votes, Mr. Speaker shall give a casting voice, and any reasons stated by him shall be entered in the Votes and Proceedings.

(b) In case of an equality of voices in Committee the Chairman shall give a casting voice.



## CHAPTER 11.

### COMMITTEE OF THE WHOLE.

#### **House resolves itself into a Committee.**

187. A Committee of the whole House will be appointed by resolution—"That this House will resolve itself into a Committee"

#### **When Committee has reported progress.**

188. When a matter has been partly considered in Committee, the Chairman has reported progress and the House has ordered that the Committee shall sit again on a particular day, Mr. Speaker, when the order for the Committee has been read, shall forthwith leave the Chair.

#### **Mace placed under the Table.**

189. So soon as Mr. Speaker shall have left the Chair, the Mace shall be placed under the Table, and the Chairman shall take the Chair of the Committee at the Table.

#### **Committee to consider only such matters as are referred.**

190. A Committee shall consider such matters only as shall have been referred to it by the House.

#### **A motion is not seconded.**

191. A motion made in Committee need not be seconded.

#### **No previous question allowed.**

192. No motion for "the previous question" can be made in Committee.

#### **Report.**

193. (a) When all matters referred to the Committee have been considered the Chairman shall be directed to report the same to the House.

#### **Motion to report progress.**

(b) A motion may be made during the proceedings of a Committee that the Chairman do report progress and ask leave to sit again.

#### **No debate or amendment.**

(c) When a motion is made that the Chairman of Committees do report progress or do leave the Chair, the question shall be put forthwith without debate, and no Member having moved any such motion shall be entitled to move any similar motion during the same debate.

**Report to be brought up without question.**

194. Every report from a Committee of the whole House shall be brought up without any question being put.

**Resolution of Committee.**

195. The resolutions reported from a Committee may be agreed to or disagreed to by the House, or agreed to with amendments, recommitted to the Committee, or the further consideration thereof postponed.

**Speaker resumes the Chair.**

196. Mr. Speaker will resume the Chair if a message be brought to attend His Excellency or the Governor's Commissioners in the Legislative Council.

CHAPTER 12.

SELECT COMMITTEES.

*Select Committees Generally.*

**Provisions regarding membership and quorum.**

197. (a) Unless the House otherwise orders, following notice given, no Select Committee shall consist of less than five nor more than twelve Members.

(b) In the case of Members proposed to be added or substituted after the first appointment of the Committee the notice is to include the names of the Members proposed to be added or substituted.

(c) It shall not be compulsory on Mr. Speaker or the Chairman of Committees to serve on any Select Committee.

(d) The quorum of every Select Committee shall be fixed at the time of appointing such Committee.

**Willingness of Members to attend to be ascertained.**

198. Every Member intending to move for the appointment of a Select Committee shall endeavour to ascertain previously whether each Member proposed to be named by him on such Committee will give his attendance thereupon.

**Notice of nomination to be given, except when appointed by ballot.**

199. Every Member intending to move for the appointment of a Select Committee shall, one day before the nomination of such Committee, place on the Notice Paper the names of the Members intended to be proposed by him to be members of such Committee, but if the mover be desirous the Committee should be appointed by ballot, then the number only need be stated.

**Manner of balloting for Committee.**

200. If upon any motion for a Select Committee any six Members shall require it, such Committee shall be formed in the following manner, viz. :

(a) Each Member shall deliver at the Clerk's table a list of the Members whom he wishes to be appointed on such Committee, not exceeding the number proposed inclusive of the mover; and if any list contain a larger number of names it shall be rejected; and

(b) Mr. Speaker shall then appoint two Members to be scrutineers who, with the Clerk, shall ascertain the number of votes for each Member; and

(c) the Members who shall be reported to have the greatest number of votes shall be declared by Mr. Speaker to be the members of such Committee; and in any case of doubt arising from two or more Members having an equality of votes, Mr. Speaker shall decide which shall server on such Committee.

**Members discharged and added.**

201. Members may be discharged from attending a Select Committee, and other Members appointed, after previous notice given.

**Power to send for persons, papers, and records.**

202. Whenever it may be necessary the House may give a Committee power to send for persons, papers and records.

**Committee adjourns.**

203. A Select Committee may adjourn from time to time; and, by resolution of the House, from place to place.

**Not to sit during sitting or adjournment of the House without leave.**

204. Except by resolution of the House, no Select Committee may sit during the sittings of the House, or on any day on which the House itself is not appointed to sit.

**Report from time to time.**

205. A Select Committee may report its opinion or observations from time to time, or report the minutes of evidence only, or proceedings from time to time.

**Election of Chairman.**

206. Every Select Committee, previous to the commencement of business, shall elect one of its members to be the Chairman.

**When quorum not present.**

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

**Evidence &c., not to be published before reported.**

208. The evidence taken by any Select Committee and documents presented to such Committee, and which have not been reported to the House, shall not be published by any Member of such Committee, nor by any other person.

**Admission of strangers to Committees.**

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

**When Members of the House may be present.**

210. Members of the House may be present when a Select Committee is examining witnesses, but withdraw by courtesy when the Committee is deliberating.

**Secret Committee.**

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

**Names of Members asking questions to be entered in the minutes.**

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

**Names of Members present to be entered.**

213. An entry shall be made in the proceedings of the names of the Members attending each Select Committee meeting, and of every motion or amendment proposed in the Committee, together with the name of the mover thereof; and if any division take place in the Committee, the Clerk of the Committee shall take down the names of the Members voting in any such division, distinguishing on which side of the question they respectively vote, and such lists shall be given in with the report to the House.

**Chairman can only vote when voices equal.**

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

**Chairman to prepare report.**

215. It shall be the duty of the Chairman of every Select Committee to prepare the report.

**Proceedings on consideration of draft report.**

216. (a) The Chairman shall read to the Committee, convened for the purpose of considering such report, the whole of his draft report, which shall be printed and circulated amongst the members of the Committee.

(b) At some subsequent meeting of the Committee the draft report shall be considered paragraph by paragraph, the Chairman putting the question to the Committee at the end of each paragraph, that it do stand part of the report. A Member objecting to any portion of the report shall propose his amendment at the time the paragraph he wishes to amend shall be under consideration.

**Report brought up.**

217. The report of a Committee shall be brought up by the Chairman, and may be ordered to lie upon the Table, or otherwise dealt with as the House may direct.

**Consideration by House of Standing Orders Committee reports.**

217A. (a) Following presentation pursuant to S.O. 217 of a report of the Standing Orders Committee, the Member presenting the same may forthwith move that such report be set down for consideration as an Order of the Day on the Notice Paper for the next sitting.

(b) If the said report has not received the consideration of the House within twelve sitting days of the tabling thereof, the Order of the Day relating thereto shall be the first Order of the Day to be considered on the next sitting day. Provided that if S.O. 59 applies to such sitting day the report shall be so considered at the sitting next following thereafter.

**Lists of Members serving.**

218. Lists shall be published with the Notice Paper of Members serving on Select Committees.

**All proceedings void after notice that Speaker is to take the Chair.**

219. All Committees sitting at the time that Mr. Speaker is about to take the Chair shall be informed by the Serjeant-at-Arms that Mr. Speaker is about to take the Chair, and all proceedings after such notice are declared to be null and void.

*Public Accounts Committee.*

**Public Accounts Committee.**

\*220. At the commencement of every Session of Parliament the House, according to the practice of Parliament with reference to the appointment of Select Committees shall appoint a Select Committee of eight Members, to be called the Public Accounts Committee, with power to send for persons, papers, and records.

**Duties of the Committee.**

The duties of the Public Accounts Committee shall be as follows:—

(a) To examine the accounts of the receipts and expenditure of the State and to bring under the notice of the House any items in those accounts, or any circumstances connected with them which it may consider appropriate;

(b) To report to the House any alteration which may appear desirable to be introduced in the form of or method of keeping the Public Accounts, or in the mode of receipt, control, issue, or payment of the public money;

(c) To inquire into and report upon any questions which may have arisen in connexion with the Public Accounts;

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\* Section 4EB of *Parliamentary Committees Act 1968* now provides for a Joint Public Accounts and Estimates Committee operative 17.11.92.

(d) To inquire into and report to the House upon the investment of and dealings with the funds of Commissioners of the State Savings Bank of Victoria; and

(e) To deal with any special references that may be made to them by the House.

Upon motion made in the usual manner by any Member of the House any matter of public account or any question of finance may be referred to the Committee. The Committee as soon as conveniently practicable shall deal with the matter so referred to them and report to the House the result of their inquiries.

*Printing Committee.*

**Printing Committee.**

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

CHAPTER 13.

WITNESSES.

*Members and Officers.*

**Member examined in his place.**

222. When the attendance of a Member is desired, to be examined by the House or a Committee of the whole House, he is ordered to attend in his place, where he shall be so examined.

**Attendance of Members.**

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

**Message for attendance of Member or officer of the Legislative Council.**

224. When the attendance of a Member of the Legislative Council, or of an officer of that House, is desired, to be examined by the House, or any Committee thereof (not being a Committee on a private Bill), a message shall be sent to the Council to request that the Council give leave to such Member or officer to attend, in order to his being examined accordingly upon the matters stated in such message.

*General Provisions.*

**Witnesses summoned by orders of the House.**

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

**Summoned by Committees.**

226. (a) A Select Committee having power to send for persons, papers, and records may summon witnesses by its own orders, signed by the Chairman.

**When witness does not attend a Committee.**

(b) If any witness so summoned shall not attend, his absence shall be reported, and the House will order him to attend the House as provided in S.O. 225; but such order may be discharged in case the witness shall have attended the Committee before the time appointed for his attending the House.

**Neglect or refusal to attend.**

227. The neglect or refusal of a witness to attend in obedience to an order of the House, or of a Select Committee having power to summon witnesses, or in obedience to a warrant of Mr. Speaker, will be censured or otherwise punished, at the pleasure of the House.



**Witnesses in custody.**

228. Where a witness shall be in the custody of the keeper of any prison, such keeper may be ordered to bring the witness in safe custody, in order to his being examined, and from time to time as often as his attendance shall be thought necessary; and Mr. Speaker may be ordered to issue his warrant accordingly.

**Witnesses not examined on oath except in certain cases.**

229. Witnesses cannot be examined upon oath by the House, the Committee or any Select Committee except in cases provided for by statute.

**Examined by Speaker.**

230. (a) When a witness appears before the House, Mr. Speaker shall examine the witness, the Mace being on the Table; and no other Member shall put any question otherwise than through Mr. Speaker.

**Witness withdraws when question objected to.**

(b) If any question be objected to, or other matter arise, the witness shall withdraw while the same is under discussion.

**Witness in custody at the Bar.**

(c) When a witness is in custody at the Bar, the Mace being on the Serjeant's shoulder, he shall be examined by Mr. Speaker alone, and no Member shall speak.

**Tampering with witnesses.**

231. If it shall appear that any person has been tampering with any witness, in respect of his evidence given before the House, the Committee, or any Select Committee, or who directly or indirectly has endeavoured to deter or hinder any person from appearing or giving evidence, the same is a high crime and misdemeanor; and the House will proceed with the utmost severity against such offender.

**Witnesses entitled to protection.**

232. All witnesses examined before the House, the Committee, or any Select Committee, are entitled to the protection of the House in respect of anything that may be said by them in their evidence.

**Evidence not to be given elsewhere of proceedings without leave.**

233. No clerk or officer of the House, or shorthand writer employed to take minutes of evidence before the House, the Committee or any Select Committee, may give evidence elsewhere in respect of any such proceedings or examination unless authorized by resolution of the House.

CHAPTER 14.

ADDRESSES AND MESSAGES.

*Addresses.*

**Concurrence of other House signified by message.**

234. The concurrence of one House in an Address communicated by the other shall be signified by message.

**Addresses, how presented.**

235. Addresses to the Governor may be presented by the whole House, by Mr. Speaker, or by such Members as the House may name for that purpose.

*Messages.\**

**Message from the Governor.**

236. (a) Whenever a messenger from the Governor shall be announced the business before the House shall be immediately suspended, and the bearer of the Message shall be introduced by the Serjeant-at-Arms with the Mace, and conducted to the Table, where he shall deliver the Message.

**Messenger delivers the message and withdraws.**

(b) The messenger shall then withdraw with the Serjeant, and the Mace shall be put upon the Table, when, if any answer is to be returned, he shall be again called in, and Mr. Speaker shall deliver such answer, or acquaint him that the House will send an answer by a messenger of its own.

**How communicated.**

237. (a) A Message from the Governor may be communicated to the House by a Minister of the Crown, being a Member.

**How dealt with.**

(b) Mr. Speaker shall read such Message to the House, and, if necessary, a day shall be fixed for taking the same into consideration.

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\* See also Joint Standing Orders Nos. 1-4 inclusive.

CHAPTER 15.

PETITIONS.

*Requirements as to Form and Content.*

238. Every petition shall—

**In writing.**

- (a) be fairly written and no printed or lithographed petition will be received;

**In English or a translation.**

- (b) be in the English language, or be accompanied by a translation, certified by the Member who presents it to be true and correct;

**Respectful.**

- (c) be respectful, decorous, and temperate in its language;

**Prayer.**

- (d) contain a prayer at the end thereof;

**To be signed.**

- (e) be signed by the parties whose names are appended thereto, by their names or marks, and by no one else, except in case of incapacity by sickness;

**Signature on each sheet.**

- (f) be signed by at least one person on the sheet on which the petition is written;

**No transferred signatures.**

- (g) have the signatures written upon the petition itself, and not pasted upon, or otherwise transferred thereto; and

**Common seal.**

- (h) if it is a petition of a corporation aggregate, be made under its common seal.

239. A petition shall not—

**No attachments.**

- (a) have letters, affidavits, or other documents attached to it;

**No reference to debates.**

- (b) refer to any debate in Parliament, nor to any intended motion.

**Petitions for compounding debts to the Crown.**

240. The House will not receive any petition for compounding any sum of money owing to the Crown, upon any branch of the revenue, without a certificate from the proper officer or officers annexed to the said petition stating debt, what prosecutions have been made for the recovery of such debts, and setting forth how much the petitioner and his security are able to satisfy thereof.

**Forgery of signature.**

241. It is highly unwarrantable, and a breach of the privilege of the House, for any person to set the name of any other person to any petition to be presented to the House.

**No application for public money unless recommended by the Crown.**

242. No application shall be made by a petition for any grant of public money, or for compounding any debts due to the Crown, or for the remission of duties payable by any person, unless it be recommended by the Crown.

**Petitions against taxes.**

243. Petitions against any Bill imposing a tax or duty for the current service of the year can be received.

**Members to peruse and sign petition.**

244. It shall be incumbent on every Member lodging a petition for presentation—

- (a) to acquaint himself with the contents thereof, and to ascertain that it does not contain language disrespectful to the House;
- (b) to take care that the same is in conformity with the rules and orders of the House; and
- (c) to affix his name at the beginning thereof.

*House Procedures.*

**Time for presentation.**

245. No petition shall be presented during any debate, nor after the House shall have proceeded to the Notices of Motion or Orders of the Day, unless such petition refers to the question before the Chair, in which case it may be received immediately upon the reading of the Order of the Day or Notice of Motion.

**Petitions from Members.**

246. Petitions can only be lodged for presentation to the House by a Member.

**Petition to be lodged with Clerk.**

247. A Member cannot present a petition from himself.

**Petition to be lodged with Clerk.**

248. Every petition shall be lodged with the Clerk at least three hours prior to the meeting of the House at which it is proposed that it be presented.

**Petition when presented to bear certification of Clerk.**

248A. Every petition when presented must bear the certification of the Clerk that it is in conformity with the Standing Orders and Practices of the House.

**Clerk to make announcement as to petitions lodged.**

248B. The Clerk shall make an announcement as to the petitions lodged with him for presentation to the House, indicating in the case of each petition the Member who lodged it, the identify of the petitioners and the subject-matter of the petition. The terms of the petitions presented shall be printed in Hansard.

**Questions entertained on presentation.**

248C. The only questions which shall be entertained by the House on the presentation of any petition shall be "That the petition do lie on the Table", and/or "That it be taken into consideration" (on a future day to be then named), which questions shall be decided without amendment or debate.

**Petition complaining of personal grievance.**

248D. In the case of any petition complaining of some present personal grievance for which there may be an urgent necessity for providing an immediate remedy, the matter contained in such petition may be brought into discussion on presentation thereof.

**Clerk to refer copy of petition to relevant Minister.**

248E. A copy of every petition lodged with the Clerk and received by the House shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition.

**CHAPTER 16.**

**ACCOUNTS, PAPERS AND PRINTING.**

**Accounts, &c. ordered.**

249. Accounts and papers may be ordered to be laid before the House.

**Addresses for papers.**

250. When the Royal prerogative is concerned in any account or paper, an address shall be presented, praying that the same may be laid before the House.

**Papers presented pursuant to statute or by command.**

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

**Papers presented by Members.**

252. When any account or paper shall be presented by a Member, he shall bring it up from the Bar, on being directed by Mr. Speaker, and deliver it to the Clerk.

**Papers deposited with the Clerk of the House.**

253. Accounts and other papers which shall be required to be laid before the House by any Act of Parliament, or by any order of the House, may be deposited in the office of the Clerk, and the same will be laid on the Table, and a list of such accounts and papers read by the Clerk.

**Accounts and papers ordered to lie on the Table.**

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

**Ordered to be printed.**

255. Accounts and papers may be ordered to be printed whenever it is expedient.

LEGISLATIVE ASSEMBLY

RULES OF PRACTICE RELATING TO PUBLIC BUSINESS

CHAPTER 1.

OPENING OF PARLIAMENT, ELECTION OF SPEAKER, OPENING A NEW SESSION AND INTRODUCTION OF NEW MEMBERS.

*Proceedings for Opening Parliament following General Election.*

1. On the first day of the meeting of a new Parliament for the dispatch of business pursuant to the Governor's proclamation, Members being assembled at the time and place appointed, the Clerk of the Assembly will read the proclamation.

2. The Members will await a message from the Commissioners appointed by the Governor for opening the Parliament.

3. On receiving message from the Governor's Commissioners for opening the Parliament, the Members of the Assembly will proceed to the Council Chamber to hear the Commission read.

4. The Assembly being returned into their own House, a Commissioner appointed by the Governor for swearing Members will be introduced, and the Commission read by the Clerk.

5. The writs for general election, having been previously delivered to the Clerk of Assembly will, with the returns indorsed thereon, then be read by the Clerk.

6. Members will then be sworn as prescribed by "The Constitution Act".

*Election of Speaker.*

7. The Member on being called to the Chair in his place expresses his sense of the honour proposed to be conferred upon him, and submits himself to the House.

8. Having been conducted to the Chair, the Member elected returns his acknowledgments to the House for the honour conferred upon him, and thereupon sits down in the Chair; and then the Mace, which before lay under the Table, shall be laid upon the Table.

*Proceedings for Opening a New Session.*

9. On the receipt of a message to attend the Governor in the Council Chamber the Speaker with the House will proceed to the Council Chamber.

10. Mr. Speaker and the House, on returning from the Council Chamber, pass through the House, and the House may then adjourn during pleasure.

11. Before the Governor's speech is reported to the House by Mr. Speaker some Bill is read a first time *pro forma*.

12. Mr. Speaker will then report that the House had this day attended the Governor in the Council Chamber, and that His Excellency was pleased to make a speech to both Houses of Parliament, of which speech Mr. Speaker said he had, for greater accuracy, obtained a copy, which he will then read to the House.

13. The speech having been read, a motion for an address to His Excellency the Governor shall be made and seconded.

#### *Introduction of New Members.*

14. A member returned after a general election shall be introduced to the Table between two Members.

15. Members seated on petition need not be introduced.

### CHAPTER 2.

#### SITTINGS AND ADJOURNMENT OF THE HOUSE.

16. When the attendance of the House in the Council has been desired, the House on its return will proceed with business, although less than a quorum be present, until notice be taken thereof.

### CHAPTER 3.

#### ATTENDANCE AND PLACES OF MEMBERS.

17. Members not attending in their places on the same day\* are usually ordered to attend on a future day; when, unless they attend, or a reasonable excuse be offered for their absence, they will be dealt with for their default as the House may think fit.

18. The front bench on the right hand of the Chair shall be reserved for Members holding office under the Crown, and the front bench on the left hand of the Chair is ordinarily occupied by Members who have held office under the Crown.

### CHAPTER 4.

#### NOTICES, ORDERS OF THE DAY, MOTIONS AND QUESTIONS.

19. A Member may not give two notices of motions consecutively, unless no other Member has any notice to submit.

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\* Rule 17 should be read in conjunction with Standing Orders Nos. 37 to 41 relating to Call of the House.



20. A member may give notice for any other Member not then present by putting the name of such Member on the notice of motion.

21. Precedence is ordinarily given by courtesy to a motion for a vote of thanks of the House.

## CHAPTER 5.

### DEBATE.

22. By the special indulgence of the House, a Member unable conveniently to stand, by reason of sickness or infirmity, will be permitted to speak sitting and uncovered.

## CHAPTER 6.

### COMMITTEE OF THE WHOLE.

23. A motion that the Chairman do now leave the Chair will, if carried, supersede the proceedings of a Committee.

24. It is an instruction to all Committees of the whole House to whom Bills may be committed, that they have power to make such amendments therein as they shall think fit, provided they be relevant to the subject-matter of the Bill; but if any such amendments shall not be within the title of the Bill, they shall amend the title accordingly, and report the same specially to the House.

25. An instruction should be moved after the Order of the Day for going into Committee has been read, and not as an amendment to the question that Mr. Speaker do now leave the Chair.

## CHAPTER 7.

### SELECT COMMITTEES.

26. If any Member of the House refuse, upon being sent for, to come, or to give evidence or information as a witness to a Committee, the Committee ought to acquaint the House therewith, and not summon such Member to attend the Committee.

27. If any information come before any Committee that charges any Member of the House, the Committee ought only to direct that the House be acquainted with the matter of such information, without proceeding further thereupon.

## CHAPTER 8

### WITNESSES.

28. When a witness is examined by the House, or a Committee of the whole House, the Bar is kept down.

29. Judges are introduced by the Serjeant, and have chairs placed for them within the Bar.

30. In Committee of the whole House any Member may put questions to the witness.

## CHAPTER 9

### ADDRESSES.

31. The address-in-reply to the Governor's speech shall be ordered to be presented to the Governor, at Government House, by the Assembly.

32. When an address is ordered to be presented by the whole House, Mr. Speaker, with the House, shall proceed to Government House, and being admitted to the Governor's presence, Mr. Speaker shall read the address to the Governor, the Members who moved and seconded such address being on his left hand

33. All addresses to the Governor in which the Council shall join the Assembly shall be presented by Mr. Speaker, and such Members as may be named by the Assembly, together with those appointed by the Council.

34. When a joint address shall be ordered to be presented to the Governor by both Houses, the President and Members of the Council, and Mr. Speaker, with this House, proceed to the Government House, and being admitted to the Governor's presence, the President of the Council (with Mr. Speaker on his left hand) shall read the address to the Governor.

35. The Governor's answer to any address presented by the whole House shall be reported by Mr. Speaker.

36. The Governor's answer to any address presented otherwise than by the whole House shall be reported to the House by the person presenting the address.

CHAPTER 10.

PRIVATE BILLS.

37. Mr Speaker should announce to the House his opinion that a Bill is a private Bill immediately following the introduction and explanation of the purposes of such Bill and prior to any debate thereupon continuing or resuming. Nevertheless Mr Speaker may, if he thinks fit, give such opinion to the House at any stage prior to the carrying of the second reading.



JOINT STANDING ORDERS  
OF THE  
LEGISLATIVE COUNCIL AND LEGISLATIVE ASSEMBLY

---

APPROVED 2ND MARCH, 1893.

Communications to be by message

1. All communications between the Legislative Council and the Legislative Assembly shall be by message.

To be transmitted by an officer of either House unless otherwise ordered

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

Members carrying message, how announced

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

Messages carried by officer, how delivered

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

Consent desired to Bills, Votes, and Resolutions, how communicated

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

Same course when returned

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

Amendments insisted upon and communications desired, reasons to be stated in message

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

(APPROVED 30TH NOVEMBER, 1904.)

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

7A. Any responsible Minister of the Crown who under the provisions of section 9 of *The Constitution Act 1903\**, may sit in the House of Parliament of which he is not a Member shall while doing so be subject to the Standing Orders of that House and to the law and practice of Parliament which is applicable to it.

(APPROVED 2ND MARCH, 1893.)

Joint Committees

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

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\* See Act No. 8750, s. 52 for current provision.

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Number of Members on Joint Committees, Library, Refreshment Rooms, and Parliament Building

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

(APPROVED LEGISLATIVE COUNCIL 29TH APRIL 1993 AND  
LEGISLATIVE ASSEMBLY 11TH MAY 1993)

Quorum

9A. At the commencement of each Session a Committee comprising four members of each House shall be appointed to consider and report upon all matters relating to parliamentary printing with the exception of those relating to the publication of the Victorian Parliamentary Debates; three members shall form a quorum which shall not consist exclusively of members of the Legislative Council or members of the Legislative Assembly.

Proposal for Joint Committees to state object and number - Time and place of meeting

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

Bills to be fair printed and certified

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

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\* The Refreshment Rooms and Parliament Buildings Joint Committees have been superseded by the House Committee constituted under Act No. 7727.

Amendments to be attached to the Bill and certified by the Clerk

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

13. [Repealed 15th June, 1915.]

(APPROVED 15TH JUNE, 1915.)

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

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

(APPROVED 2ND MARCH, 1893.)

Clerk of Parliaments to present all Bills, except the Appropriation Bill to the Governor

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

15. [Repealed 15th June, 1915.]

(APPROVED 15TH JUNE, 1915.)

Procedure on Bills returned by Governor with amendments

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

16. [Repealed 15th June, 1915.]

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\* See Act 8750, s. 14 for current provisions.



Disposal of original Bills

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

(APPROVED 2ND MARCH, 1893).

Title of Bill to set forth general object

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

Numbering of Acts assented to

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

Numbering of Acts reserved by subsequently receiving Royal Assent

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

Clerk of Parliaments to correct typographical errors

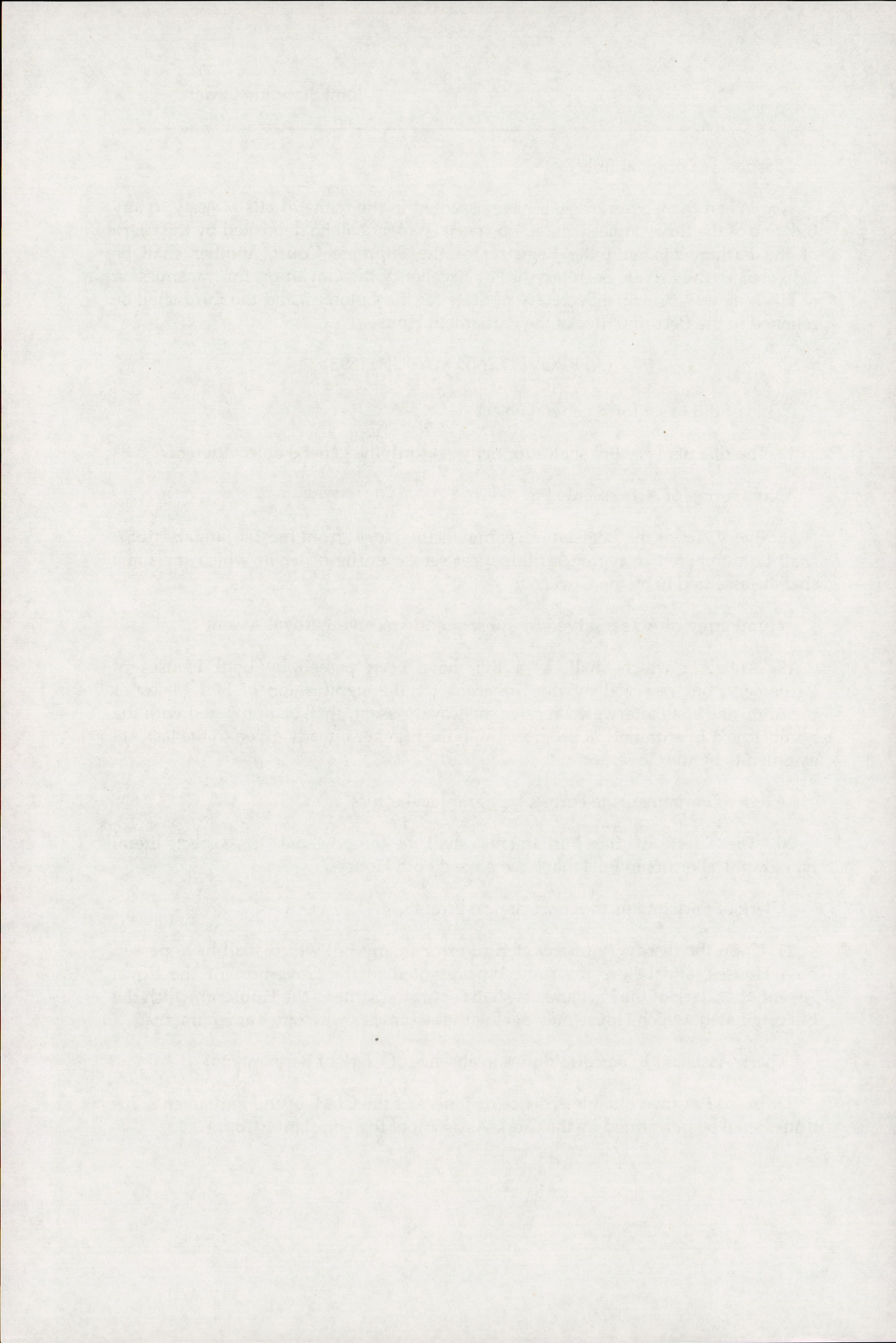
20. The Clerk of the Parliaments shall be empowered to correct literal typographical errors in Bills that have passed both Houses.

Clerk of Parliaments to report clerical errors

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

Clerk-Assistant to perform duties in absence of Clerk of Parliaments

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



STANDING ORDERS  
TABLE SHOWING ORIGIN AND HISTORY

S.O. number in this Volume.	S.O. number in 1973 Volume from which derived.	Date on which each S.O. in 1973 Volume was approved and subsequent amendments.
1	-	31/7/1857. (Previously Rules 24, 25, 32, 35)
2	121, 122	
3	285	28/7/1857
4	1A	
5	1A	
6	1A	23/7/1934
7	1A	
8	1A	
9	1A	
10	124, 124A	28/7/1857; 23/7/1934
11	4A1	21/11/1922
12	4A	
13	4A	24/6/1889
14	4	28/7/1857
15	4A1	21/11/1922
16	4AA	15/9/1903
17	4A2	23/7/1934
18	5	
19	6	
20	9,125	28/7/1857
21	10, 138, 139	
22	7	
23	11	
24	8	
25	8A, 8B	10/7/1882; 24/6/1889 (S.O. 26
26	8A, 8B	amended 11/9/1979)
27	8B	24/6/1889
28	12	28/7/1857
29	12A, 110	24/6/1889; 28/7/1857
30	13	
31	14	
32	145	
33	116	
34	264	28/7/1857
35	15, 16, 17	
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41	25, 26	7/3/1860; 28/7/1857

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46	31	28/7/1857
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55	33	28/7/1857
56	34	
57	35	
58	61	
59	273G	12/9/1973 (S.O. 59 amended 16/9/1976)
60	44	
61	45, 46	(S.O. 61 substituted 8/12/1981)
62	47, 48	
63	49	
64	58, 59	
65	50	28/7/1857
66	51	
67	52	
68	53	
69	54	
70	78C	15/9/1911
71	60	
72	62	28/7/1857
73	62A	24/6/1889

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79	66	28/7/1857
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91	78D	15/9/1911
92	82	
93	87	28/7/1857
94	88, 89	
95	91	29/4/1969
96	90	
97	92	28/7/1857
98	93	
99	78A	
100	85B	24/6/1889
101	85A	10/7/1882
102	83, 84, 134	28/7/1857 (S.O. 83 amended 12/9/1973) (S.O.
103	83, 85	103 amended 16/9/1976)
104	78E	9/10/1916 (Amended 12/9/1973) (S.O. 104 amended 16/9/1976)
105	78F	1/9/1926
106	103, 135, 136	
107	104	28/7/1857
108	78A, 94	24/6/1889; 28/7/1857
109	78B	24/6/1889

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113	99	28/7/1857
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116	101	
117	101A	24/6/1889
118	105	
119	106	28/7/1857
120	107	
121	79	
122	79B	
123	79C	29/4/1969
124	79, 79D	28/7/1857; 29/4/1969 (S.O. 124 amended 22/4/1980)
125	79A	29/4/1969
126	80	
127	81	
128	218, 219, 220, 221	28/7/857
129	225	
130	226, 227	
131	228	
132	229	28/7/1857 (Amended 12/9/1973)
133	230O	
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135	232	28/7/1857 (S.O. 136 substituted 11/9/1979)
136	233	
137	170, 236	
138	234A	24/6/1889
139	234	
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141	237A, 238	24/6/1889; 28/7/1857
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159	259A	24/6/1889
160	260	
161	261	
162	262	28/7/1857
163	263	
164	257	
165	258	
166	264A	24/6/1889
167	264C	27/2/1896
168	264B	17/12/1885 (S.O. 168 substituted 18/3/1981, amended 16/5/1996)
169	273D	
170	273E	
171	273F	12/9/1973
172	287A	
173	273	19/8/1902 (Amended 12/9/1973)
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180	114	(S.O. 180 amended 11/9/1979)
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193	85B, 140, 142	24/6/1889; 28/7/1857
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196	137	28/7/1857
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199	149	
200	150	
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204	164	
205	166	
206	152	28/7/1857
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212	153	
213	154	
214	161	
215	167	
216	168	
217	169	
217A	...	S.O. 217A adopted 8/12/1981
218	151	
219	163	28/7/1857
220	169A	29/1/1895 (S.O. 220 amended 13/4/1976 - See footnote on p. 54)



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241	207	
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244	208, 209, 210	(S.O. 244 amended 8/12/1981)
245	195	
246	212	(S.O. 246 amended 8/12/1981)
247	213	
248	213A, 215	24/6/1889; 28/7/1857 (S.O. 248 substituted 8/12/1981)
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1	1	19	26
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13	15	31	18
14	9	32	41
15	10	33	42
16	21	34	43
17	22	35	44
18	23	36	45
		37	See footnote (3)

*Footnotes:*

(1) The Rules contained in the 1973 Volume were all adopted by the House on 31st July, 1857.

(2) On 7th May, 1975 the House rescinded the Rules previously numbered 16, 17, 19, 20, 24, 25, 30, 32 and 35 for reasons which are explained in the Report of the Standing Orders Committee (No. D6/1974-76). This volume contains all the remaining operative Rules re-numbered as above.

(3) Rule of Practice No. 37 adopted 18.3.1981.

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