

PARLIAMENT OF VICTORIA

LEGISLATIVE ASSEMBLY

Standing Orders Committee



Report on a review of the Standing Orders

Parliament of Victoria
Legislative Assembly Standing Orders Committee

Ordered to be published

VICTORIAN GOVERNMENT PRINTER
November 2019

PP No 92, Session 2018-19
ISBN 978 1 925703 86 3 (print version), 978 1 925703 87 0 (PDF version)

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About the committee

Functions

The role of the Standing Orders Committee is to consider and report upon the standing orders and practices of the House.

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This report is available on the Committee's website.

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Recommendation

RECOMMENDATION: The Committee recommends that the House:

- (a) amends the standing orders as detailed in Appendix 1;
- (b) amends the sessional orders as detailed in Appendix 2; and
- (c) amends the joint standing orders as detailed in Appendix 3 and seeks the agreement of the Legislative Council.

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Report on a review of the Standing Orders

1. The Legislative Assembly adopted new standing orders in 2004. This followed a comprehensive review of the standing orders by the Standing Orders Committee in 2003,¹ which streamlined procedures, deleted obsolete standing orders and rewrote all standing orders in plain English and with gender-neutral language.
2. The House made substantial changes to the standing orders relating to committees at the start of this Parliament to facilitate the establishment of Assembly Standing Committees. Otherwise, apart from some minor amendments, the standing orders remain largely the same as those adopted in 2004.
3. Given the standing orders have now been in operation for 15 years, the Standing Orders Committee decided it was timely to undertake another review to address areas where procedures are unclear, ambiguous or need to be updated to reflect technology or legislative changes. We have also taken the opportunity to suggest some improvements to Assembly practice.
4. Our recommended changes to the standing orders, joint standing orders and sessional orders are outlined in Appendices 1, 2 and 3. Our reasons for the proposed changes are outlined below.

Election of Speaker — Standing Orders 11 and 13

5. The standing orders are currently silent on how the result of a ballot for the election of the Speaker is communicated to the House. Standing Order 11 only provides that the scrutineers give the Clerk a written report of the results of the count. In some previous contested elections, the Clerk has announced the number of votes for each candidate, and on other occasions the Clerk has only announced the successful candidate without stating the number of votes received by each candidate. In the interests of transparency, we recommend that in future the Clerk announces the number of votes received by each candidate to the House and the number of informal votes.
6. The standing orders also currently do not outline how informal votes should be handled in a contested election for Speaker. Standing Order 13 states a candidate will be elected if they receive more than half the votes of members present. However, if some members vote informally, there could be a situation where no candidate receives more than half the votes of members present even if only two candidates are standing. We recommend that the standing orders be amended to clarify a candidate will be elected Speaker if they receive more than half of the **formal** votes of members present.

¹ Legislative Assembly Standing Orders Committee, *Report on the Modernisation of Standing Orders*, November 2003.

Absence of Speaker — Standing Order 21

7. If the Speaker is absent at the start of a sitting day, the Clerk currently notifies the House of this before Deputy Speaker takes the Chair. We believe this is unnecessary. We recommend that in the absence of the Speaker, the Deputy Speaker takes the Chair without an announcement being made.

Condolence motions — Standing Order 42

8. We recommend a new provision be added enabling members and former members to notify the Clerk that they do not want a condolence motion moved in the event of their death. This will enable members to have a say in how they are remembered by the House. The Clerk will advise the Speaker, Premier and the Leader of the House of the member's wishes on the occasion of their death.

Orders of the day for the consideration of petitions — Proposed new Standing Order 51A

9. Standing Order 144 provides that a notice of motion lapses if it has remained on the notice paper for 30 sitting days without being moved. A member can request their notice be continued by notifying the Clerk. As a result, notices that are no longer current or relevant are deleted from the notice paper, helping manage its size.
10. Currently, when the House orders a petition to be taken into consideration, it remains on the notice paper for the rest of the Parliament, unless the House actively discharges the order of the day. This results in petitions being listed on the notice paper for several years, often after they are no longer relevant.
11. We recommend the House adopts a new SO 51A, similar to SO 144, to provide that if an order of the day for the consideration of a petition remains on the notice paper for 30 sitting days without debate, it will be removed from the notice paper on the next sitting day. A member who moved that a petition be taken into consideration may write to the Clerk and require the order of the day to remain.

Introduction of bills — Standing Order 59

12. The current language used to introduce bills is confusing, as a member moves a motion for leave to introduce the bill. It is not 'leave' in the conventional sense of the word, which requires the unanimous agreement of the House. To remove this confusion, we recommend a member instead simply moves a motion to introduce a bill, taking out the reference to 'leave'.
13. We also believe there are opportunities to clarify the procedure for moving the second reading of a bill immediately after the first reading. Standing Order 61 sets out two situations when this can occur — when the bill is an Appropriation or Supply Bill and when briefings have been provided to other parties and independents. Although not specified in the standing orders, this can also be done with leave of the House. We propose the standing order be redrafted to more clearly set out these three options.

14. When a member wishes to proceed immediately to the second reading, the Assembly's practice has been for the Speaker to put a question, 'that the Bill be now read a second time immediately'. However, as the standing orders authorise a member to do this automatically if the required conditions are met, this question is not strictly necessary. To streamline this process, we propose that the Speaker no longer puts that question. Another member will still have the right to take a point of order and object to the second reading being moved immediately if they believe the requirements in the standing orders have not been complied with.

Time limits for motion to take note of the budget papers — Standing Order 131

15. In recent parliaments, each year the House has debated a motion to take note of the budget papers. This gives members who did not speak on the Appropriation Bill an opportunity to speak on the budget. To ensure members speaking to the motion receive the same amount of time as members speaking to the bill, we recommend a new time limit be added to the standing orders providing 15 minutes to members speaking on a motion to take note of the budget papers. This removes the need for the House to pass a separate motion each year to facilitate this.

Publishing of documents — Standing Order 177

16. In 2015, both the Assembly and Council changed their practice to order documents to be 'published' instead of ordering them to be 'printed'. This change was made to better match the wording in section 73 of the *Constitution Act 1975*, which grants absolute privilege to documents published under the authority of the House. It also reflects that documents are now published in a variety of electronic forms as well as printed in hard copy. However, SO 177 still refers to documents being ordered to be printed. We recommend the wording of this standing order be updated.

Proclamations fixing operative dates for Acts — Proposed new Standing Order 177A

17. Sessional Order 16 requires the Clerk to table proclamations of the Governor in Council fixing dates for the coming into operation of Acts. This has been Assembly practice since 1984,² and is used to keep members informed as to the current state of legislation and ensure that this information is included in the parliamentary record.³ The tabling of proclamations was authorised through a resolution at the start of each Parliament until it was made a sessional order at the start of this Parliament. As it is a longstanding practice of the House, we recommend this be made a new standing order, proposed new SO 177A.

² VP 144, 2 October 1984, p 546.

³ *Hansard*, 2 October 1984, p 692–3.

Committees — Standing Orders 187 to 226B

18. At the start of this Parliament, the Assembly replaced Chapter 24 of the standing orders to establish Assembly Standing Committees. The rules in Chapter 24 now govern the operation of all Assembly committees, including standing committees and select committees. However, there are a few standing orders that still only refer to select committees. We recommend these standing orders be amended to clarify they apply to all Assembly committees. We also recommend a minor change to SO 207 to correct an internal cross reference.
19. Standing Order 214 sets out that a committee should normally take evidence in public. It also states that a committee can take evidence in private in certain circumstances and the committee can make that evidence public if the person giving the evidence had been informed that it will be made public. It is important that people giving evidence to committees are fully informed about how their evidence may be used prior to giving evidence. The Legislative Council standing orders distinguish between public hearings, closed hearings and private (in camera) hearings to make these options clear. We recommend the Assembly standing orders be amended to adopt similar terminology to the Council standing orders.
20. Standing Order 220(3) provides that divisions on a question must be recorded in the committee's minutes and must also be included in the committee's report to the House. It has been the longstanding practice that only divisions on questions relating to the adoption of the draft report are included in committee reports, not other questions throughout the inquiry, as they may result in the disclosure of private information or internal deliberations of the committee that are not appropriate to make public. We recommend the standing order be amended to formalise this practice.

Other changes to standing orders

21. In addition to the substantive changes discussed above, we also recommend a number of minor changes for clarification and to delete two obsolete standing orders. These changes, which are included in Appendix 1, are:
 - **Standing Order 27** — Omitted, as members are now required to notify the Clerk of their home base under regulations, so the standing order is redundant.
 - **Standing Orders 38 and 39** — Amended to provide that there is no grievance debate or matter of public importance in the first week of a new session. In recent parliaments, Openings have not been three-day sitting weeks, and it can be challenging to finalise and approve a matter of public importance topic immediately after a new Speaker is elected. Members already have opportunities to speak on a wide range of issues in the Opening week through the debate on the Address-in-Reply to the Governor's speech, so this change will have little effect on what may be debated.
 - **Standing Order 42** — Amended to clarify that the Speaker announces the death of former Assembly members only.

- **Standing Order 43** — Amended to clarify that copies of ministerial statements must be provided to the leaders of all parties (currently only the opposition and third party).
- **Standing Order 66** — Amended to modernise the language from ‘clause as amended’ to ‘amended clause’.
- **Standing Order 151** — Updated wording from statutory rule to subordinate legislation, to reflect the legislative changes to the types of documents considered by the Scrutiny of Acts and Regulations Committee.
- **Standing Order 194** — Omitted, as the standing order duplicates the provision for a committee to require witnesses to take an oath in section 19A of the *Constitution Act 1975*.
- **Standing Order 232** — An outdated section on sound transmissions has been deleted to remove the potential restriction on the use of different technology, such as web streaming and Internet Protocol Television (IPTV). Sound transmissions will instead fall under the general broadcasting rules in Standing Order 233.
- **Standing Order 233** — Amended to broaden the standing order to remove any potential restriction on the official broadcast being made available through different technology, such as IPTV.

Victorian Responsible Gambling Foundation — Proposed new Joint Standing Order 25

22. In 2006, the Houses adopted joint standing orders to govern joint sittings for the election of members to the Victorian Health Promotion Foundation and to elect persons to fill Senate vacancies.⁴ This replaced the previous practice of adopting rules at each joint sitting. Following a review, the Standing Orders Committees stated they believed it is more efficient and practical to enshrine the general procedures and detailed rules for joint sittings in the Joint Standing Orders.⁵
23. In 2011, legislation was passed to establish the Victorian Responsible Gambling Foundation and provide for the election of three members of Parliament to the board of the Foundation at a joint sitting. As there are no established rules, members must adopt rules at the start of each joint sitting to govern how it will operate. For the same reasons given in 2006, the Committee recommends adopting a new joint standing order setting out the rules for joint sittings under the *Victorian Responsible Gambling Foundation Act 2011*.

Redactions — Proposed new Sessional Order 16

24. We have been made aware of a small number of situations where members have inadvertently disclosed information during debate in the Chamber or a committee, or in documents tabled in the House, that they later discover may create a safety or

⁴ VP 176, 9 August 2006, p 1130; LCM, No 179, 22 August 2006, p 801.

⁵ Legislative Assembly Standing Orders Committee, *Review of the Joint Standing Orders of the Parliament of Victoria*, p 12.

security risk. Sometimes this only becomes apparent several years later. Currently the only process for removing information from these records is a motion in the House, which would draw further attention to the information. We believe it would be better for these issues to be handled outside the House, with strict safeguards to ensure changes are only made if absolutely necessary.

25. We recommend the House trial a new sessional order empowering the Standing Orders Committee to authorise redactions from a document published by the House, Assembly Hansard, official broadcast footage of the Assembly Chamber or an Assembly Committee, a petition, or a document tabled under SO 171 on safety or security grounds. To ensure it is appropriately used, the Committee's approval of a request must be unanimous, and the number of redactions made reported to the House.

Divisions during the completion time of the government business program

26. Finally, we propose the House changes its practice relating to divisions during the completion time of the government business program. Standing Order 164 (as amended by Sessional Order 15) provides that the bells are rung for four minutes for a division, but when successive divisions are taken without intervening debate, the Chair may direct that the bells be rung for one minute.⁶
27. During the completion time of the government business program, the House regularly deals with multiple bills in succession. If there is a division on each bill, the practice of the House has been that the bells are rung for four minutes for the first division on each new bill. However, as no further debate is permitted once the completion time is reached, the standing order allows the Chair to direct that the bells be rung for one minute where there has been no intervening debate (even if there have been intervening questions).
28. To save time in the House, and noting that members have advance notice of the bills to be dealt with at the completion time, the Committee proposes that at the completion time of a government business program, the Chair directs the Clerk to ring the bells for four minutes in the first instance a division is requested and then for one minute for any further divisions relating to items of business or bills specified on the program.

RECOMMENDATION: The Committee recommends that the House:

- (a) amends the standing orders as detailed in Appendix 1;
- (b) amends the sessional orders as detailed in Appendix 2; and
- (c) amends the joint standing orders as detailed in Appendix 3 and seeks the agreement of the Legislative Council.

⁶ Standing Order 164(3).

Appendix 1

Proposed amendments to the Standing Orders

11 Counting the votes

In all ballots and special ballots, the votes must be counted in the following way:

- (1) The proposer of each candidate names a member to be scrutineer. The same scrutineer acts in all ballots.
- (2) The doors are unlocked.
- (3) The scrutineers and the Deputy Clerk retire with the ballot box and count the votes.
- (4) If a counter believes that a vote is informal, he or she may request a decision on the matter by the Clerk:
 - (a) the Clerk then goes to the room where the votes are being counted;
 - (b) the number of votes received by any candidate will not be disclosed to the Clerk;
 - (c) a vote is valid if, in the Clerk's opinion, it identifies the candidate selected by the member voting.
- (5) The scrutineers give the Clerk a written report on the results of the count.
- (6) The Clerk will announce the results, including the number of votes for each candidate and the number of informal votes.

13 Identifying the successful candidate

If a candidate obtains more than half of the votes of members present [who have voted formally](#), he or she is elected Speaker. If no candidate obtains sufficient votes, the candidate with the lowest number of votes is eliminated, and another vote is held between the remaining candidates. This process is repeated until one candidate receives more than half of the [formal](#) votes of members present.

21 Absence of Speaker

[During any absence of the Speaker](#) ~~When the Clerk advises the House of the Speaker's unavoidable absence~~, the Deputy Speaker performs the duties and exercises the authority of the Speaker in relation to all proceedings of the House until the return of the Speaker or until the House decides otherwise. The Deputy Speaker may nominate one of the Acting Speakers to act as Deputy Speaker.

27—Members list

~~At the start of each Parliament, each member must give his or her name and address to the Serjeant-at-Arms. If any changes to those details occur from time to time, a member must notify the Serjeant-at-Arms.~~

38 Grievance debate

- (1) Subject to paragraph (2), a debate on the question ‘That grievances be noted’ will take place on the first sitting Wednesday of each ~~Autumn and Spring sitting period~~ calendar year and every subsequent third sitting Wednesday.
- (2) For the first sitting ~~period~~ week only of a new Parliament or session, there will be no grievance debate. Instead, the first grievance debate will take place on the second sitting Wednesday and every subsequent third sitting Wednesday.
- (3) The debate will be the first item of business after statements by members and will last for two hours, or until eight members have spoken, whichever is the shorter.
- (4) Subject to paragraph (3), any member may speak in the debate for a maximum of 15 minutes.

39 Matters of public importance

- (1) Precedence will be given to matters of public importance immediately after statements by members each sitting Wednesday except on grievance days set under SO 38 and except for the first sitting week of a new Parliament or session.
- (2) A member may propose to the Speaker a definite matter of public importance to be submitted to the House for discussion. In considering which proposals to accept the Speaker will:
 - (a) alternate between those made by non-government members and those by government members;
 - (b) accept proposals from non-government members on a pro-rata basis according to the non-government representation in the House, the Speaker having full discretion in making and putting into effect the apportionment.
- (3) A member proposing a matter must give the Speaker a written statement of the proposal by 4.00 pm on the day before the day of the discussion.
- (4) If more than one member proposes a matter for discussion on the same day, the Speaker will decide which one to consider under paragraph (5).
- (5) The Speaker will decide whether the proposal is in order and, by 5.30 pm on the day before the discussion, will give details of the proposal which has been accepted to the leader of each party and any independent members.
- (6) Only one matter will be discussed on any one sitting day.

42 Condolences

- (1) Subject to paragraph (2) precedence on a sitting Tuesday will be given to:
- (a) a condolence motion in the event of the death of:
 - (i) a sitting member or a member from the preceding Parliament; or
 - (ii) a past or present Governor, Premier, Presiding Officer, Leader of the Opposition, leader of a recognised political party, Leader of the Government or Opposition in the Legislative Council; or
 - (iii) a person who had previous distinguished ministerial service or other distinguished service in Victoria; or
 - (iv) any other person, subject to the agreement of the House.
 - (b) an announcement by the Speaker in relation to the deaths of former [Assembly](#) members not referred to in sub-paragraph (a). After the announcement the Speaker will ask members to rise in their places as a mark of respect to the memory of the deceased. The Speaker will then send a message of sympathy from the House to the relatives of the deceased—
- provided that, if condolences under both sub-paragraphs (a) and (b) are due to be expressed on the same sitting day, the announcement/s under sub-paragraph (b) will be made first.
- (2) During the first sitting week of a new Parliament or session condolences may, at the discretion of the government, be given precedence on any sitting day other than the opening day.
- (3) Where a condolence motion occurs under paragraph (1)(a), unless otherwise ordered, the House will adjourn for a period of one hour at the conclusion of the motion.
- [\(4\) A member or former member may notify the Clerk that they do not want a condolence motion to be moved in the event of their death. On the occasion of their death the Clerk will advise the Speaker, Premier and Leader of the House of their wishes.](#)

43 Ministerial statements

A minister may make a statement during government business and without leave on the following basis:

- (1) During formal business, or at a break in business, the minister must give notice of intention to make a statement at a specified time later that sitting day, not less than two hours from the time notice is given.
- (2) The minister must, prior to or at the time of giving notice, provide a copy of the statement to the Speaker, the [party](#) leaders ~~of the opposition and the third party~~ or their nominees, and any independent members.

- (3) The minister must hold discussions with the leaders, or their nominees about the number of members to speak in reply. Following those discussions the minister must determine the number and advise the Speaker. The Speaker will announce the decision prior to calling the minister to make the statement.
- (4) At the time specified by the minister for the statement to be made, the Speaker will interrupt the business before the House and call the minister, provided that, if at the specified time the House is not dealing with government business, the statement will be deferred until government business is called on and then dealt with as the first item of such business.
- (5) The business under discussion at the time of the interruption will be resumed immediately after all responses to the statement have been completed, and any member speaking at the time of the interruption may then continue his or her speech.
- (6) The minister may speak for no more than 20 minutes. In responding the lead speaker for the opposition may speak for a maximum of 20 minutes. Subject to the determination made under paragraph (3), any other member may speak for a maximum of 10 minutes.

51A Petition order of the day lapses

If an order of the day for the consideration of a petition has remained on the notice paper for 30 sitting days without debate, the Speaker will announce it will be removed from the notice paper on the next sitting day. A member who moved that a petition be taken into consideration may write to the Clerk and require the order of the day to remain.

59 Introduction of a bill

A bill, unless received from the Council, must be introduced by a motion moved without notice ~~for leave to bring in the bill~~, specifying its intended title.

61 First reading and printing of a bill

- (1) On the introduction of a bill by a member under SO 59, or on the receipt of a bill from the Council for the House's agreement, its first reading will be proposed immediately. The question will be decided without amendment or debate except that (other than for a bill received from the Council) a member introducing a bill may be asked for a brief explanation of its scope.
- (2) After the first reading, the bill will be printed and ~~(except for an Appropriation or Supply Bill)~~ except as provided for under paragraph (3), the House will fix a future day ~~will be appointed~~ for its second reading ~~— provided that, if representatives of the other parties, and any independent members, have received a prior copy of the bill and a briefing, the second reading may be moved immediately after the bill has been read a first time.~~

(3) After the first reading, a member may move the second reading of a bill immediately:

(a) if it is an Appropriation or Supply Bill; or

(b) if representatives of the other parties, and any independent members, have received a prior copy of the bill and a briefing; or

(c) with the leave of the House.

66 Sequence in which bill to be considered in detail

(1) Each bill must be considered in the following order:

(a) clauses separately and in order;

(b) proposed new clauses;

(c) the schedules separately and in order;

(d) proposed new schedules;

(e) the preamble (if any);

(f) long title;

(g) short title.

(2) Consideration of a clause may be postponed, unless it has already been considered and amended.

(3) After debate on a clause has concluded, the question must be put that the clause (or the amended clause ~~as amended~~) stands part of the bill.

(4) Following consideration and, if necessary, amendment of the preamble, the question must be put 'That this be the preamble of the bill'.

131 Time limit of speeches

A member may speak for the specified period in the following debates:

Motion to take note of the budget papers

Any member 15 minutes

151 Motion on disallowance of subordinate legislation

(1) A motion to disallow ~~a statutory rule~~ any subordinate legislation which has been adversely reported on by the Scrutiny of Acts and Regulations Committee takes precedence immediately before statements by members on the last sitting Wednesday before the twelfth sitting day after the notice of motion has been given, unless it has been resolved previously.

- (2) Debate on the motion will last for a maximum of 30 minutes, or until six members have spoken, whichever is the shorter. Subject to the overall time period a member may speak in the debate for five minutes. At the end of the total period allowed, the Chair must interrupt the debate and put the question.

177 **Printing Publishing of documents**

The House may order a document to be ~~printed~~ published.

177A **Operation of Acts – Proclamations**

The Clerk will table copies of proclamations of the Governor in Council fixing dates for the coming into operation of Acts, as published in the Government Gazette.

188 **Attendance of member before ~~a-select~~ an Assembly committee**

- (1) If resolved by ~~a-select~~ an Assembly committee, the Chair will write to a member requesting the member to attend as a witness.
- (2) If the member refuses to attend, the committee will not take any further action except to report the matter to the House.

192 **Select Assembly committee summons procedure**

~~A-select~~ An Assembly committee may summon witnesses by an order signed by the Chair. If a witness does not obey an order, that fact must be reported to the House, which may then order him or her to come before the House. However, that order may be discharged if the witness attends the committee before the time set for attending the House.

193 **Failure or refusal to attend**

If a witness fails or refuses to attend or give evidence pursuant to an order of the House or ~~a-select~~ an Assembly committee, the House may censure the witness or declare him or her guilty of contempt.

~~194—Oath~~

~~A witness before the House or a select committee may be required to take an oath when that is permitted by statute.¹~~

¹— See Constitution Act 1975 s 19A.

207 Ballot for appointment to select committee

When members are to be selected under SO ~~205~~206(1) by ballot:

- (1) The bells will be rung as for a division.
- (2) Each member present is issued with a list of all members that has been initialled by the Clerk.
- (3) No nomination is required.
- (4) A member votes by placing a cross against the names of the number of members as ordered by the House; if any list contains a larger or smaller number of votes than is required, it is void and rejected.
- (5) The Speaker will nominate scrutineers who, with the Clerk, will count the votes.
- (6) The members who receive the most votes will be declared by the Speaker to be elected.
- (7) If two or more members have an equality of votes for the last place or places on the committee, a second ballot will be held to determine that place or those places.
- (8) Only those members who achieved an equality of votes for that place or those places will continue as candidates in the second ballot.
- (9) If, after a second ballot, two or more members still have an equality of votes, the Speaker determines by lot which member or members are chosen.

214 Evidence

- (1) A committee may send for persons, documents and other things.
- ~~(2) Unless the House or the committee determines otherwise, a committee must take all evidence in public and may publish the evidence immediately.~~
- ~~(3) A committee may take evidence in private if the committee resolves that special circumstances make it desirable to take the evidence in private and for this purpose, part or whole of a public hearing may be held in private.~~
- ~~(4) A committee may take evidence in private but use it as public evidence, provided that the committee informed the person giving the evidence that it is received by the committee on the basis that it will be made public.~~
- (2) A committee may take evidence in a:
 - (a) **Public hearing** — unless the House or the committee determines otherwise, a committee must take all evidence in public and may publish the evidence immediately.
 - (b) **Private (in camera) hearing** — if the committee resolves that special circumstances make it desirable to do so, part or whole of a hearing may be held in private. The committee may not publish private evidence.

(c) **Closed hearing** — a committee may take evidence in a hearing closed to the public but later publish the evidence, provided that the committee has resolved to do so and has informed the person giving the evidence that it is received by the committee on the basis that it will be made public.

- (53) A committee may take evidence in any manner that the committee considers appropriate including by means of audio link, audio visual link or any other electronic means.
- (64) committee must determine what weight or value to give to evidence received by different means in accordance with subsection (53).
- (75) Without limiting or affecting the generality of section 19A of the *Constitution Act 1975*, evidence given before a committee must, if the committee so requires, be given on oath or affirmation.
- (86) An oath to be sworn or affirmation to be made by a witness who is to give evidence by audio link or audio visual link may be administered either—
- (a) by means of the audio link or audio visual link, in as nearly as practicable the same way as if the witness were to give evidence at the place at which the committee is sitting; or
 - (b) at the direction of, and on behalf of, the committee at the place where the witness is located by a person authorised by the committee.
- (97) A committee may empower a specified member or members of the committee to send for persons, documents and other things and to take evidence with respect to any proposal, matter or thing which is referred to the committee for consideration and report if the committee unanimously agrees so to empower the member or members.
- (108) When sending for persons, documents and other things or when taking evidence under subsection (97), a member of a committee has all the privileges, immunities and powers of the committee.
- (119) Any person may make a written submission to a Standing Committee with respect to any proposal, matter or thing being inquired into or being considered by the Committee.

220 Record of proceedings of committee

The minutes of proceedings of a committee must record each of the following:

- (1) The names of the members who attended each meeting.
- (2) Every motion or amendment proposed and the name of its mover.
- (3) The divisions and the names of the members voting for each side on a question; **which must also be included in the committee's report to the House.**

(4) Any division, including the names of the members voting for each side, on a question relating to the adoption of the draft report must be included in the committee's report to the House.

232 Broadcasting rules

(1) In this standing order:

broadcast includes:

- (a) transmission to the public by radio, television, landline, the internet or any other electronic means; and
- (b) rebroadcast;

Chamber means the Legislative Assembly Chamber;

rebroadcast means to broadcast from a recording;

record means to make a sound or visual recording of proceedings of the House.

~~(2) Sound transmissions are permitted from the Chamber to:~~

~~(a) offices within Parliament House; and~~

~~(b) government offices outside Parliament House in accordance with the approval of the Speaker, except of anything occurring in the Chamber prior to the time fixed for the meeting of the House or after the adjournment of the House.~~

(32) A media organisation or individual may, subject to paragraph (43), broadcast, or record for broadcast, proceedings of the House, except anything occurring in the Chamber prior to the time fixed for the meeting of the House or after the adjournment of the House.

(43) Permission under paragraph (32) is subject to observance of the following conditions:

- (a) media organisations or individuals must be accredited by the Speaker; and
- (b) sound must only be recorded from the audio signal of proceedings transmitted by the House monitoring system by representatives of accredited media organisations or individuals; and
- (c) no alteration to the sound relay equipment is permitted without the permission of the Speaker; and
- (d) the use of separate recording equipment is not permitted unless authorised by the Speaker; and
- (e) recordings must:
 - (i) be used only for the purposes of fair and accurate reports of proceedings, and reasonable balance between both sides of the House is to be achieved by avoiding undue concentration on any one member; and

- (ii) provide in context a balanced presentation of differing views and must not include events in the Chamber unrelated to the proceedings of the House; and
 - (iii) provide equality between government and non-government members; and
 - (iv) be placed in context and commentators must identify members at least by name; and
 - (v) not start until the conclusion of the Prayer; and
 - (vi) not misrepresent any proceeding before the House, or the seating position, or office held by any member of the House.
- (f) recordings must not be used for:
- (i) political party advertising or election campaigns; or
 - (ii) satire or ridicule; or
 - (iii) commercial sponsorship or commercial advertising; or
 - (iv) media advertisements or promotion.
- (g) camera operators must operate within the guidelines issued by the Speaker;
- (h) points of order or remarks withdrawn are not to be rebroadcast.
- (i) media personnel must obey any instruction given by the Speaker or the Speaker's delegates.
- (54) Any breach of the conditions listed in paragraph (43) may result in the immediate suspension of privileges by the Speaker.

233 Official broadcast of proceedings

- (1) An official broadcast of the proceedings of the Chamber is made available ~~through~~ [by](#) the Parliament's ~~website~~.
- (2) Official broadcasts must comply with the guidelines issued by the Speaker.
- (3) With the approval of the committee and the Speaker, an official broadcast of the public proceedings of a parliamentary committee may be made available ~~through~~ [by](#) the Parliament's ~~website~~.

Appendix 2

Proposed amendments to the Sessional Orders

~~16 — Operation of Acts — Proclamations~~

~~Copies of proclamations of the Governor in Council fixing dates for the coming into operation of Acts, as published in the Government Gazette from time to time will be tabled by the Clerk.~~

16 Redactions

The Standing Orders Committee (the Committee) is empowered to authorise redactions from a document published by the House, Assembly Hansard, official broadcast footage of the Assembly Chamber or an Assembly Committee, a petition, or a document tabled under SO 171 on safety or security grounds using the following process:

- (1) A person, including a member of Parliament, may write to the Clerk and request the redaction including details of the nature of the safety or security risk and how redaction would reduce or remove this risk. The Clerk will then forward that request to the Committee as soon as practicable.
- (2) If the Committee is satisfied there is a safety or security risk and the redaction is warranted, the Committee may approve the request. All members present at the meeting must unanimously agree for the Committee's decision to be effective.
- (3) The Clerk will inform the person who made the request of the Committee's decision. Where the Committee unanimously approves the reaction, the Clerk must take all necessary steps to give effect to the Committee's decision.
- (4) A redaction does not affect the protections provided by ss 73, 74 or 74AA of the *Constitution Act 1975*.
- (5) The Clerk must include a statement of the number of redactions made and the type of document they were redacted from, excluding any identifying information, in the annual report of the Department of the Legislative Assembly.
- (6) The Committee may issue guidelines on the operation of this sessional order.

Appendix 3

Proposed amendments to the Joint Standing Orders

25 Joint sittings under the *Victorian Responsible Gambling Foundation Act 2011*

- (1) A member, addressing the Chair, may propose a member or members to be elected to the Board of the Victorian Responsible Gambling Foundation and any such proposal must be seconded. When a member is proposed, the proposer must state that such member is willing to accept nomination.
- (2) If no more than the required number of members are proposed and seconded, the Chair will declare such members as having been elected.
- (3) If more than the required number of members are proposed and seconded in respect of the vacancies, the members will be elected by ballot.
- (4) After the ballot, the Chair will declare the member or members elected to the Foundation and will advise the responsible minister of the result of the election.

