



LEGISLATIVE COUNCIL

SESSIONAL ORDERS

59TH PARLIAMENT

As at 25 June 2021

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SESSIONAL ORDERS

59th Parliament

(adopted by the Council on 19 March 2019 and amended on 2 May 2019, 3 February 2021 and 24 June 2021)

Until the end of the Session, unless otherwise ordered by the Council —

1. Days and hours of meeting

- (1) Standing Order 4.01(1)(a) is suspended to the extent necessary so as to provide that the hour of meeting of the Council on Tuesday will be at 12.00 noon.
- (2) After Standing Order 4.01(2) insert:
 - (3)(a) Unless otherwise ordered by the Council, the House will suspend for a meal break on Tuesday and Thursday at 6.30 p.m. for 60 minutes.
 - (b) A Member may move, without leave, to suspend or alter the duration of the meal break in (3)(a). The Chair will put the question forthwith without debate.

2. Interruption of debate — Messages

In Standing Order 4.07(7) for “will” substitute “may”.

3. Extension of sitting — Committee of the whole

For the purposes of Standing Order 4.08, a declared extension in accordance with Standing Order 4.08(1)(b) may be made by the Minister at the Table during Committee of the whole.

4. Order of business — Wednesday

Standing Order 5.02(2) and (3) is suspended and the following order of business will apply on Wednesday —

Messages

Formal Business

Members' Statements (up to 15 Members)

General Business

At 12 noon Questions

Answers to Questions on Notice

General Business (until 5.15 p.m.)

At 5.15 p.m. Statements on reports, papers and petitions (30 minutes)

Government Business (maximum 60 minutes)

At 6.45 p.m. Adjournment (up to 20 Members)

5. Order of business — Friday

Standing Order 5.02(5) is suspended and the following order of business will apply on Friday —

Messages

Formal Business

General Business (maximum 2 hours)

Government Business

At 12 noon Questions

Answers to Questions on Notice

Government Business (continues)

At 4.00 p.m. Adjournment (maximum 30 minutes)

6. Time limits — Statements on reports, papers and petitions

Statements on reports, papers and petitions (Standing Order 9.10)

Total time	30 minutes <i>(a Member with the call at the expiration of the total time will be permitted to complete their contribution)</i>
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Each Member	5 minutes
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7. Time limits — Government Business

Standing Order 5.03 Time limits *Government Business (Standing Order 5.06)* is suspended and the following will apply:

Government Business (Standing Order 5.06)

Total time	No limit
Main Government lead speaker	30 minutes
Main Opposition lead speaker	30 minutes
Other lead speakers	30 minutes
Remaining speakers	15 minutes

8. Time limits — General Business

Standing Order 5.03 Time limits *General Business (Standing Order 5.07)* is suspended and the following will apply:

General Business (Standing Order 5.07)

Total time	90 minutes
Mover/Sponsor	20 minutes
Lead speakers	10 minutes
Remaining speakers	10 minutes
Mover/Sponsor, in reply	5 minutes

9. Time limits — Private Member Bills — second reading debate

In Standing Order 5.03 Time limits, insert:

Private Member Bills — second reading debate

Total time	No limit
Mover/Sponsor	30 minutes
Main Government lead speaker	30 minutes
Other lead speakers	30 minutes
Remaining speakers	15 minutes

10. Time limits — Questions without notice

Standing Order 5.03 Time limits *Questions without notice (Standing Order 8.04)* is suspended and the following will apply:

Questions without notice (Standing Order 8.04)

Each Member	1 minute
Minister's answer	3 minutes

11. Time limits — Government Bills — second reading debate

Standing Order 5.03 Time limits *Government Bills — second reading debate* is suspended and the following will apply:

Government Bills — second reading debate

Total time	No limit
Main Government lead speaker	30 minutes
Main Opposition lead speaker	30 minutes
Other lead speakers	30 minutes
Remaining speakers	15 minutes

12. Time limits — Budget debate

Standing Order 5.03 Time limits *Budget debate* is suspended and the following will apply:

Budget debate

Total time	No limit
Main Government lead speaker	30 minutes
Main Opposition lead speaker	30 minutes
Other lead speakers	30 minutes
Remaining speakers	15 minutes

13. Questions without notice and Ministers' statements

Standing Order 8.04 is suspended and the following will apply:

- (1) Questions without notice may be asked at the time prescribed by Standing Order 5.02 when any business before the Council will be interrupted.
- (2) Only non-Government Members may ask oral questions without notice.
- (3) After every second oral question without notice a Minister may seek the call to make a statement of up to two minutes.
- (4) The time allocated for questions without notice will be until eight oral questions have been answered and four Ministers' statements have been made.

14. Content of answers

(1) After Standing Order 8.07(2) insert:

- (2A) The President will determine the adequacy of a written response to a question provided under this Standing Order. The President may determine that a written response does not appropriately answer the question and may direct the Minister to provide another written response and lodge it with the Clerk.

Part (2) of Sessional Order replaced by Sessional Order 33 on 24 June 2021.

15. Answers to questions on notice

Sessional Order 15 replaced by Sessional Order 32 on 24 June 2021.

16. Statements on reports, papers and petitions

Standing Order 9.10 is suspended and the following will apply:

- (1) At the time prescribed by Sessional Orders, any Member may make a statement on any report, paper or petition which has been tabled in the Council during the Session. A Member must give notice of a report, paper or petition proposed for discussion no later than during the appropriate time in formal business on the same day that statements on reports and papers are to be conducted. A Member may propose not more than one report, paper or petition for discussion each week.
- (2) Nothing in this Standing Order will preclude a Member from —
 - (a) giving notice of a report, paper or petition previously discussed; or
 - (b) giving notice of a motion to take note of a report, paper or petition for consideration during General Business.
- (3) Subject to the provisions of Standing Order 8.13, a Member may also make a statement regarding the failure of a Minister to provide either an answer or an explanation to a question.

17. Disorderly conduct — Member ordered to withdraw: application during questions without notice

Notwithstanding Standing Order 13.02(2), if —

- (1) a Member is ordered to withdraw from the House under Standing Order 13.02(1) during questions without notice; and
- (2) the time for questions without notice concludes before the expiration of the suspension period —

the Member may return to the Chamber at the conclusion of question time and must serve the remainder of their suspension during the next occurrence of questions without notice.

18. Committee of the whole — time limits

Sessional Order 18 rescinded on 3 February 2021.

19. Report from Committee of the whole

When making a report from Committee of the whole (including a report of progress), the Deputy or Acting President, upon leaving the Committee of the whole, may take the President's Chair and report directly to the House.

20. Video on Demand

- (1) Standing Order 20.03(1) is suspended.
- (2) In Standing Order 20.03(2) for "Audio-visual proceedings republished under this Standing Order are" substitute "Rebroadcast of an official broadcast is permitted".

21. Standing Committees — arrangements

For the purposes of Standing Orders 23.01, 23.02 and 23.05, references to "legislative committee(s)", "legislation committee(s)" and "references committee(s)", wherever occurring, should be read as "standing committee(s)".

22. Standing Committees — referrals

Standing Order 23.02(4) is suspended and the following will apply:

- (4) Standing Committees may inquire into, hold public hearings, consider and report on any matter, including on any Bills or draft Bills, annual reports, estimates of expenditure or other documents laid before the Legislative Council in accordance with an Act, provided these are relevant to their functions.
 - (a) Each Standing Committee may only undertake a maximum of two own-motion inquiries each calendar year.

23. Standing Committees — appointment of Members

Standing Order 23.03 is suspended and the following will apply:

- (1) Having regard to the proportionality of parties and independents in the council, the —
 - (a) Economy and Infrastructure Committee will consist of seven Members;
 - (b) Legal and Social Issues Committee will consist of seven Members; and
 - (c) Environment and Planning Committee will consist of ten Members.
- (2) Government Members will be nominated by the Leader of the Government in the Council.
- (3) Opposition Members will be nominated by the Leader of the Opposition in the Council.
- (4) Members from among the remaining Members in the Council will be nominated jointly by those minor parties and independent Members from which they are drawn.
- (5) For the purposes of (4) —
 - (a) nominations shall be determined by agreement between the minor parties and independent Members;
 - (b) if agreement cannot be reached, the President shall be notified of such and the appointment of Members shall be determined by the Council;
 - (c) in making appointments under (5)(b), the Council must have regard to the proportionality of minor party and independent Members in the Council insofar as it is practicable to do so.

24. Standing Committees — quorum

Standing Order 23.04(1) is suspended and the following will apply:

- (1) Four Members of each committee will constitute a quorum of the committee, unless expressly stated otherwise.
- (2) Six Members of the Environment and Planning Standing Committee will constitute a quorum of the committee.
- (3) For the purposes of Standing Order 23.04 a participating member must not be counted for the purpose of forming a quorum.

25. Standing Committees — Participating Members

Standing Order 23.05(4) is suspended.

26. Procedure Committee

In Standing Order 23.08(3) for “seven” substitute “nine”.

27. Privileges Committee

In Standing Order 23.09(2) for “seven” substitute “nine”.

28. Committee meetings — audio and audio visual links

Standing Order 23.16(5) is suspended and the following will apply:

- (1) Members of a committee may attend and participate in meetings of the committee by audio or audio visual link, be counted for the purposes of quorum, and vote on any question before the committee.
- (2) Participating members of a committee may attend and participate in meetings of the committee by audio or audio visual link.
- (3) A Member seeking to attend a meeting by audio or audio visual link must give reasonable notice to the Chair and secretariat of the committee so as to allow sufficient time for technological arrangements to be put in place to facilitate the link.

- (4) Members physically present at the meeting must be satisfied that the audio or audio visual link is of sufficient quality to —
 - (a) verify the identity of the Member attending via the link; and
 - (b) enable meaningful participation in the meeting by that Member.

29. Quorum for Procedure Committee

In Standing Order 23.08(3) for “four” substitute “five”.

30. Quorum for Privileges Committee

In Standing Order 23.09(2) for “four” substitute “five”.

31. Responses to matters raised on the Daily Adjournment Debate

Standing Order 4.13 is suspended and replaced with the following:

- (1) The Minister the matter was directed to may dispose of the matter verbally at the end of the Daily Adjournment Debate.
- (2) Any matter that is not disposed of at the time must be responded to in writing within 30 days.
- (3) The Minister must lodge a written response with the Clerk. The Clerk must give the response to the Member who raised the matter and publish the response.

32. Answers to questions on notice

Standing Order 8.12 and Sessional Order 15 are suspended and replaced with the following:

An answer to a question on notice must be lodged with the Clerk. The Clerk must give the response to the Member who asked the question and publish the response.

33. Answers to constituency questions

Standing Order 8.08(5) is suspended and replaced with the following:

- (5) A copy of the answer will be given to the Member who asked the question and published.

34. Written responses to questions without notice

Standing Order 8.07(5) and Sessional Order 14 (Part 2) are suspended and replaced with the following:

- (5) A copy of any response provided under this Standing Order will be given to the Member who asked the question and published.

The foregoing provisions, so far as they are inconsistent with the Standing Orders or practices of the Council, will have effect notwithstanding anything contained in the Standing Orders or practices of the Council.

Schedule of Amendments

Sessional Orders	Adopted/Amended
<i>1-27</i>	<i>19 March 2019</i>
<i>28 & 29</i>	<i>2 May 2019</i>
<i>6 and 8</i>	<i>3 February 2021 (amended)</i>
<i>18</i>	<i>3 February 2021 (rescinded)</i>
<i>31-34</i>	<i>24 June 2021</i>
<i>14 (Part 2) & 15</i>	<i>24 June 2021 (rescinded)</i>