

# Maintenance of the standing and sessional orders

## **Second report**

- **Review of sessional orders adopted on 17 March 2005 and 9 February 2006; and other matters**

House of Representatives  
Standing Committee on Procedure

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## Foreword

On 9 February 2006 the Standing Committee on Procedure resolved to adopt the wide ranging reference 'The maintenance of the standing and sessional orders'. This is an ongoing inquiry, under which the committee reports from time to time on specific matters. The inquiry encompasses all sessional orders which the House has adopted for a trial period; and also proposals for minor adjustments to the standing orders which arise from time to time. Any more substantial matter will be subject to separate inquiry and report.

In this report the committee has reviewed the operation of sessional orders adopted on 17 March 2005 relating to the anticipation rule. The committee has also assessed sessional orders adopted by the House on 9 February 2006. These cover arrangements for debate of committee and delegation reports in the Main Committee (as recommended by the committee's report on this matter in November); the duration of Members' statements in the Main Committee; debate times for dissent motions; and provisions relating to the maintenance of order in the Main Committee. In addition, three other minor matters raised with the committee have also been included in this, the second report by the committee on the maintenance of the standing and sessional orders.

**Margaret May MP**  
**Chair**



## Membership of the Committee

**Chair** Mrs Margaret May MP

**Deputy Chair** Mr Daryl Melham MP

**Members** Hon Bronwyn Bishop MP

Mrs Trish Draper MP

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# Terms of reference

## **Terms of reference of the Committee**

To inquire into and report on the practices and procedures of the House and its committees.

## **Terms of reference of the inquiry**

Maintenance of the Standing and Sessional Orders.



# List of recommendations

## **Recommendation 1**

The committee recommends that sessional orders 1, 39, 40, 190 and 192, relating to the referral of committee and delegation reports to the Main Committee on Mondays and associated speaking times, be made standing orders.

## **Recommendation 2**

The committee recommends that new standing order 40A be inserted as follows:

40A Removal of committee and delegation reports orders of the day

The Clerk shall remove from the Notice Paper an order of the day relating to committee and delegation reports which has not been called on for eight consecutive sitting Mondays.

## **Recommendation 3**

The committee recommends that standing order 248, relating to further consideration of a report by the House, be deleted.

## **Recommendation 4**

The committee recommends that the following sessional orders be trialled for the first six months of 2007:

(a) Add to standing order 39:

39(d)(i) Delegation reports may also be presented to the Speaker at any time. Delegation reports thus presented are deemed to have been presented to the House on the next sitting day following presentation, and ordered listed as separate orders of the day on the Notice Paper under Main Committee, committee and delegation reports, for debate during the period provided by standing order 192(b).



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(ii) Debate on the delegation reports orders of the day will have priority over all other reports on the next sitting Monday in the Main Committee unless otherwise determined by the Selection Committee.

(b) Insert in standing order 1, timings for *Committee and delegation reports on Mondays*

*Delegation reports deemed presented (in accordance with sessional order 39(d)(i))*

*In the Main Committee*

Two members                      5 minutes each

### **Recommendation 5**

The committee recommends that sessional order 187, relating to maintenance of order in the Main Committee, be made a standing order.

### **Recommendation 6**

The committee recommends that sessional order 193, relating to Members' three minute statements, be made a standing order.

### **Recommendation 7**

The committee recommends that sessional order 1, relating to a 30 minute time limit for dissent motions, be made a standing order.

### **Recommendation 8**

The committee recommends that:

- (a) sessional order 77, relating to the anticipation rule, be made a standing order; and
- (b) standing order 100(f) be deleted permanently from the standing orders.

### **Recommendation 9**

The committee recommends that standing order 18(a) be replaced by:

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

### **Recommendation 10**

The committee recommends that standing order 41(d) be amended as follows:

(d) When each notice is called on by the Clerk, the Member in whose name the notice stands may present the bill, together with an explanatory memorandum (if available), and may speak to the bill for no longer than 5 minutes. The bill shall be then read a first time and the motion for the second reading shall be set down on the Notice Paper for the next sitting. *(additions indicated by underlining)*

### **Recommendation 11**

The committee recommends that the definition of 'area of members' seats, contained in standing order 2 should be amended as follows:

***area of Members' seats*** means the area of seats on the floor of the Chamber reserved for Members ~~only~~. It does not include seats in the advisers' box or special galleries, but does include the seat where the Serjeant-at-Arms usually sits. The expression is used in *standing orders 128 and 129 (divisions)*. See figure 1.