



**THIRTY-SEVENTH PARLIAMENT**

**SPECIAL REPORT**  
**STANDING COMMITTEE ON UNIFORM**  
**LEGISLATION AND STATUTES REVIEW**

**STANDING ORDER 230A - REFERRAL OF**  
**UNIFORM LEGISLATION AND REPORTING TIME**  
**FRAMES**

Presented by Hon Simon O'Brien MLC (Chairman)

Special Report  
August 2005

## **STANDING COMMITTEE ON UNIFORM LEGISLATION AND STATUTES REVIEW**

**Date first appointed:**

August 17 2005

**Terms of Reference:**

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

**“8. Standing Committee on Uniform Legislation and Statutes Review**

8.1 A *Standing Committee on Uniform Legislation and Statutes Review* is established.

8.2 The Committee consists of 4 Members.

8.3 The functions of the Committee are:

- (a) to consider and report on bills referred under SO 230A;
- (b) of its own motion or on a reference from a Minister, to consider or review the development and formulation of any proposal or agreement whose implementation would require the enactment of legislation made subject to SO 230A;
- (c) to examine the provisions of any instrument that the Commonwealth has acceded to, or proposes to accede to, that imposes an obligation on the Commonwealth to give effect to the provisions of the instrument as part of the municipal law of Australia;
- (d) to review the form and content of the statute book;
- (e) to inquire into and report on any proposal to reform existing law that may be referred by the House or a Minister;
- (f) to consider and report on any matter referred by the House or SO 125A.

8.4 For a purpose relating to the performance of its functions, the Committee may consult with a like committee of a House of the parliament of the Commonwealth, a state or a territory, and New Zealand and similarly, may participate in any conference or other meeting.”

**Members as at the time of this inquiry:**

Hon Simon O’Brien MLC (Chairman)

Hon Sheila Mills MLC

Hon Matt Benson-Lidholm MLC

Hon Donna Taylor MLC

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**ISBN 1 9208 8644 3**

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**RECOMMENDATIONS FOR THE  
SPECIAL REPORT OF THE STANDING COMMITTEE ON UNIFORM LEGISLATION AND  
STATUTES REVIEW**

**IN RELATION TO**

**STANDING ORDER 230A - REFERRAL OF UNIFORM LEGISLATION AND REPORTING TIME  
FRAMES**

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**RECOMMENDATIONS**

1 Recommendations appear in the Report at the page number indicated below:

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**Recommendation 1: The Committee recommends that Standing Order 230A be amended to provide that uniform legislation stands referred at the conclusion of the Minister's second reading speech.**

**To effect this recommendation Standing Order 230A should be amended as follows:**

**Standing Order 230A(2)**

To delete - “, or commence where SO 230(b) applies,”.

To delete - “Bill's first reading” and insert instead -

“ adjournment ”.

**Standing Order 230A(3)**

To delete - “when read a first time”.

To insert after “*Committee*” -

“ at the conclusion of the Minister's second reading speech ”.

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**Recommendation 2: The Committee recommends that the reporting time frame in Standing Order 230A(4) be amended to provide that a committee report on uniform legislation must be presented within 14 sitting days of the referral from the Legislative Council rather than 30 calendar days.**

**To effect this recommendation Standing Order 230A(4) should be amended as follows:**

SO 230A(4) - To delete “30” and insert “14 sitting”.

**SPECIAL REPORT OF THE STANDING COMMITTEE ON UNIFORM LEGISLATION AND  
STATUTES REVIEW**

**IN RELATION TO**

**STANDING ORDER 230A - REFERRAL OF UNIFORM LEGISLATION AND REPORTING TIME  
FRAMES**

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**1 INTRODUCTION**

1.1 This Report continues an inquiry initiated by the former Uniform Legislation and General Purposes Committee (**UG Committee**). The Uniform Legislation and Statutes Review Committee (**Committee**) which was appointed on August 17 2005 continues the work of the UG Committee with the addition of two new functions; law reform and statutes review.

1.2 Following its appointment in April 2002, the work of the UG Committee principally related to term of reference 7.3(a). That term of reference is replicated in this Committee's term of reference 8.3(a) which provides that the Committee is:

*(a) to consider and report on bills referred under SO 230A.<sup>1</sup>*

1.3 Standing Order (**SO**) 230A which is referred to in term of reference 8.3(a) provides that:

*(1) This order applies to a Bill that —*

*(a) ratifies or gives effect to a bilateral or multilateral intergovernmental agreement to which the Government of the State is a party; or*

*(b) by reason of its subject matter, introduces a uniform scheme or uniform laws throughout the Commonwealth.*

*(2) The second reading stage of a Bill is not to be resumed where SO 230(a) applies, or commence where SO 230(b) applies, within 30 days of the date of the Bill's first reading or before it has been reported from a committee, whichever is the later.*

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<sup>1</sup> The Committee's complete terms of reference are reproduced on the inside cover of this Report.

- (3) *Unless otherwise ordered, a Bill when read a first time stands referred to the Uniform Legislation and Statutes Review Committee.*
- (4) *The Uniform Legislation and Statutes Review Committee, or other committee, receiving a Bill under subclause (3) is to present its final report not later than 30 days of the day of the reference or such other period as may be ordered by the House.*
- (5) *The policy of a Bill is not a matter for inquiry by a committee receiving it. [emphasis added]*

1.4 This Report concerns two aspects of SO 230A namely:

- the process whereby a bill, when read a first time, stands referred to the Committee, unless otherwise ordered (SO 230A(3)); and
- the requirement that the Committee present its final report not later than 30 days after the referral of the bill or such other period ordered by the House (SO 230A(4)).

## **2 STANDING ORDER 230A(3) - REFERRAL AFTER FIRST READING**

### **Bills generally - second reading adjourned (Standing Order 230)**

2.1 In relation to bills generally, SO 230 provides that after the first reading a motion may be made either:

- (a) *“That the bill be now read a second time” and the speech of the Minister or Member, in charge given [the second reading speech], at the conclusion of which the debate stands adjourned;<sup>2</sup> or*
- (b) *That the second reading be made an order of the day for the next sitting or for a specified sitting day.*

2.2 The adjournment period required by SO 230 allows Members time to study the proposed legislation and its possible ramifications prior to the second reading debate commencing.

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<sup>2</sup> The second reading commences with the Minister in charge of the bill presenting the second reading speech. All Members are then entitled to make one speech during the following debate and the Member or Minister in charge of the bill has a right of reply in which the various arguments raised in debate are answered. During the second reading, the whole principle or policy of the bill is at issue. At the end of the second reading the main vote on the bill is taken.

**Bills containing uniform legislation - referred after first reading (Standing Order 230A)**

- 2.3 In contrast, if a bill contains uniform legislation<sup>3</sup> there is a distinct process set out in SO 230A. In particular, SO 230A(3) provides that such a bill is automatically referred to a standing committee<sup>4</sup> *after the first reading* unless the Legislative Council orders otherwise.
- 2.4 Once a bill containing uniform legislation is referred, SO 230A then operates to embargo the commencement of the second reading or continuation of the second reading for 30 calendar days after the first reading or the Committee reports to the Legislative Council (whichever is the later).

**Practice of the Legislative Council - second reading speech given**

- 2.5 Despite the reference in SO 230A to referrals of bills occurring *after the first reading*, the practice of the Legislative Council is to permit the Minister (or Parliamentary Secretary) to move the second reading of the bill and deliver the second reading speech. After the second reading speech is presented, the embargo on further proceedings commences and the remainder of the second reading is automatically adjourned.
- 2.6 This practice is reflected in SO 230A(2) which refers to the second reading stage of a bill not being:
- resumed where SO 230(a) applies (namely, the second reading speech has been given); or
  - commenced when SO 230(b) applies (namely, the second reading has been adjourned).
- 2.7 The practice of enabling the Minister to move the second reading and deliver the second reading speech after the first reading of a bill containing uniform legislation has the following benefits:
- a) the second reading speech provides a forum for the identification of a bill as uniform legislation. This is of particular importance when a bill is introduced into the Parliament through the Legislative Council and the House does not

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<sup>3</sup> Uniform legislation is defined in SO 230A(1) to mean a bill that:

- (a) ratifies or gives effect to a bilateral or multilateral intergovernmental agreement to which the Government of the State is a party; or
- (b) by reason of its subject matter, introduces a uniform scheme or uniform laws throughout the Commonwealth.

<sup>4</sup> The Legislative Council may order that uniform legislation stands referred to a committee other than the Standing Committee on Uniform Legislation and Statutes Review, SO 230A(3).

- have the benefit of the second reading speech and the explanatory memorandum from the Legislative Assembly;
- b) the second reading speech provides an opportunity for the Minister to make a statement that SO 230A does not apply (if this is the case) thereby providing government accountability if there are queries or uncertainties about whether SO 230A applies; and
  - c) the practice provides an opportunity for the Legislative Council to entertain any motions to address matters under SO 230A, for example, that a bill not be referred at all, that a bill be referred to a different committee, or to alter the referral period of 30 calendar days. If a Member was to propose any such motion then this would need to be moved *immediately after* the end of the second reading speech and *before* the President made the statement to the House, “*that the bill stands referred to the Uniform Legislation and Statutes Review Committee under Standing Order 230A*”.<sup>5</sup>
- 2.8 Occasionally, after the first reading of a bill, the Minister may move that the second reading be made an order of the day for the next sitting rather than commencing the second reading and presenting the second reading speech. This can occur when, for example, a second reading speech is not available. Once this occurs, the second reading is adjourned and the embargo in SO 230A on further proceedings applies. Significantly, this means that the forum of the second reading speech and the opportunity to address and identify the matters referred to at paragraph 2.7, is lost.
- 2.9 The first benefit listed in paragraph 2.7 relates to the identification of bills within the scope of SO 230A. This has proved to be a significant challenge in dealing with uniform legislation and was discussed in detail in the UG Committee’s Report, *Report 19: Uniform Legislation and Supporting Documentation*, August 2004.<sup>6</sup>
- 2.10 In *Report 19*, the UG Committee noted that because uniform legislation is automatically referred following the first reading, it needs to be immediately identified so that the relevant committee is advised of the referral and the embargo on further proceedings is activated. However, the UG Committee observed that it is not always readily apparent that a bill contains uniform legislation. The UG Committee indicated that where there is no background material from the Minister, the identification of uniform legislation relies on a perusal of the bill, the second reading speech and the

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<sup>5</sup> As this would be a procedural motion, notice of motion would not be required.

<sup>6</sup> See Chapter 3, Western Australia, Legislative Council, Standing Committee on Uniform Legislation and General Purposes, *Report 19: Uniform Legislation and Supporting Documentation*, August 2004.

explanatory memorandum (if tabled) and these materials may not clearly indicate that a bill contains uniform legislation.<sup>7</sup>

- 2.11 To address this problem, the UG Committee recommended that a Premier's Circular be issued containing a requirement that:

*When introducing into the Parliament of Western Australia a bill that implements uniform legislation, Ministers must ensure that the second reading speech for the bill:*

- a) makes reference to the fact that the bill is pursuant (whether in whole or part) to uniform legislation; and*
- b) outlines the relevant intergovernmental agreement/memorandum of understanding pursuant to which the bill has been introduced.*<sup>8</sup>

- 2.12 This recommendation proposed that the second reading speech become the vehicle for the identification of uniform legislation. In response to this recommendation, a Ministerial Office Memorandum has been issued including this requirement.

- 2.13 However, the requirement for Ministers to identify bills containing uniform legislation in the second reading speech will be circumvented if the practice of the Legislative Council to allow the Minister or Parliamentary Secretary to move the second reading of the bill and deliver the second reading speech is not maintained and the second reading is adjourned immediately after the first reading. Consequently, the Committee makes Recommendation 1 which proposes that SO 230A is amended to safeguard this practice. The Committee notes that Recommendation 1, if agreed, will update the SO to reflect the practice of the Legislative Council.

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<sup>7</sup> Western Australia, Legislative Council, Standing Committee on Uniform Legislation and General Purposes, *Report 19: Uniform Legislation and Supporting Documentation*, August 2004, pp21-22.

<sup>8</sup> Western Australia, Legislative Council, Standing Committee on Uniform Legislation and General Purposes, *Report 19: Uniform Legislation and Supporting Documentation*, August 2004, Appendix 7.

## Recommendation

**Recommendation 1: The Committee recommends that Standing Order 230A be amended to provide that uniform legislation stands referred at the conclusion of the Minister's second reading speech.**

**To effect this recommendation Standing Order 230A should be amended as follows:**

### Standing Order 230A(2)

To delete - “, or commence where SO 230(b) applies,”.

To delete - “Bill's first reading” and insert instead -

“ adjournment ”.

### Standing Order 230A(3)

To delete - “when read a first time”.

To insert after “Committee” -

“ at the conclusion of the Minister's second reading speech ”.

## 3 STANDING ORDER 230A(4) - REPORTING TIME FRAMES

3.1 SO 230A(4) requires the Committee to present its reports on uniform legislation within 30 calendar days of the referral or other period ordered by the Legislative Council. If the Committee wishes to, it can seek an extension of time to report from the Legislative Council.

3.2 In *Report 19*, the UG Committee outlined the history of the standing orders which have ‘embargoed’, for specific periods of time, the second reading debate of uniform legislation. In short, the standing orders originally allowed a ‘cooling off’ period between the second reading speech and the second reading debate to enable Members to raise matters of concern or interest. Later, the standing orders provided for uniform legislation to be referred to a committee for formal consideration with the intention that the report would produce a more informed appreciation of the mechanics, but not policy, of the bill.<sup>9</sup>

<sup>9</sup> Western Australia, Legislative Council, Standing Committee on Uniform Legislation and General Purposes, *Report 19: Uniform Legislation and Supporting Documentation*, August 2004, p6.

- 3.3 To assist Members, the relevant part of *Report 19* is attached as **Appendix 1**. Attached at **Appendix 2** is a Chronology of Events relating to the scrutiny of uniform legislation and reporting periods. This Chronology of Events was contained in *Report 19* (Appendix 3 to that Report).
- 3.4 In *Report 19*, the UG Committee indicated that the 30 calendar days referred to in SO 230A(4) is too short a time frame for many uniform bills to be given anything more than a cursory examination and this is particularly so when background information is not provided promptly by the Executive. Consequently, the UG Committee indicated that the reporting time frame needed to be revisited.
- 3.5 In *Report 19* and *Report 23: The Work of the Committee during the Second Session of the Thirty-Sixth Parliament - August 13 2002 to November 16 2004*, the UG Committee noted that on April 7 2004, Hon Adele Farina MLC gave notice of her intention to move that SO 230A(4) be amended to require a report within 30 *sitting* days rather than simply 30 calendar days. In *Report 23*, the UG Committee recommended that if the notice of motion was not dealt with in the Thirty-Sixth Parliament then it be considered by the Legislative Council in the current Parliament with a view to amending SO 230A(4) in accordance with the notice of motion. As that notice of motion lapsed due to prorogation this Committee raises the issue again.
- 3.6 The Committee has further considered this issue and has concluded that 30 *sitting* days extends the reporting time frame over an unnecessarily long period. The Committee notes that a period of 30 *sitting* days may relate to a period of four or five months depending upon the parliamentary calendar. The Committee appreciates that if a Committee's report is required before the expiration of 30 *sitting* days then motions could be moved under SO 230A(4) to alter the period of referral. However, the Committee considers it more appropriate to set a shorter 'default' reporting time frame rather than requiring motions to be moved.
- 3.7 The Committee is of the view that a reporting time frame of 14 *sitting* days is appropriate. Based on a parliamentary sitting calendar with three day sitting weeks, a period of 14 *sitting* days will ensure that the Committee is guaranteed to have more than four weeks (not including sitting breaks) to scrutinise bills. As it is more usual for the Legislative Council to sit for two or three weeks in a row, the Committee would be most likely have five to six weeks to examine a bill (including non-sitting weeks).
- 3.8 The Committee notes that section 42(2) of the *Interpretation Act 1984* provides for a period of 14 *sitting* days during which a notice of motion to disallow any tabled regulations may be made. During this period the Delegated Legislation Committee scrutinises those regulations.

- 3.9 The Committee considers that the reporting period of 14 *sitting* days will generally provide a sufficient time frame to scrutinise bills containing uniform legislation and achieves a balance between the requirements of the Executive and the Parliament.

### Recommendation

**Recommendation 2: The Committee recommends that the reporting time frame in Standing Order 230A(4) be amended to provide that a committee report on uniform legislation must be presented within 14 sitting days of the referral from the Legislative Council rather than 30 calendar days.**

**To effect this recommendation Standing Order 230A(4) should be amended as follows:**

SO 230A(4) - To delete “30” and insert “14 sitting”.

## 4 EFFECT OF RECOMMENDATIONS

- 4.1 If adopted by the Legislative Council the Committee’s Recommendations will effect the following changes to SO 230A:

### *Uniform legislation*

230A. (1) *This order applies to a Bill that —*

- (a) *ratifies or gives effect to a bilateral or multilateral intergovernmental agreement to which the Government of the State is a party; or*
  - (b) *by reason of its subject matter, introduces a uniform scheme or uniform laws throughout the Commonwealth.*
- (2) *The second reading stage of a Bill is not to be resumed where SO 230(a) applies, ~~or commence where SO 230(b) applies,~~ within 30 days of the date of the ~~Bill’s first reading adjournment~~ or before it has been reported from a committee, whichever is the later.*
- (3) *Unless otherwise ordered, a Bill ~~when read a first time~~ stands referred to the Uniform Legislation and Statutes Review Committee at the conclusion of the Minister’s second reading speech.*
- (4) *The Uniform Legislation and Statutes Review Committee, or other committee, receiving a Bill under subclause (3) is to*

*present its final report not later than ~~30~~ 14 sitting days of the day of the reference or such other period as may be ordered by the House.*

- (5) *The policy of a Bill is not a matter for inquiry by a committee receiving it.*

4.2 The Committee considers that, if implemented, the proposed amendments to SO 230A will significantly assist the parliamentary scrutiny of uniform legislation by:

- a) enabling the second reading speech to operate as a forum for Ministers to identify uniform legislation and outline the relevant intergovernmental agreement/memorandum of understanding (as recommended by the UG Committee and implemented in the Ministerial Office Memorandum);
- b) providing an opportunity for the Legislative Council to entertain any motions under SO 230A, for example, that a bill not be referred at all or that a bill be referred to a different committee or to alter the referral period; and
- c) providing a sufficient period of time for committees to scrutinise uniform legislation and thereby present to the Legislative Council a more informed and valuable report.

4.3 The Committee commends its Report to the Legislative Council.



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**Hon Simon O'Brien MLC**  
**Chairman**

**August 30 2005**



# APPENDIX 1

## EXTRACT FROM REPORT NINETEEN - REPORTING TIME FRAMES

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### Chronology of scrutiny and previous reporting periods

- 1.18 The Committee notes that parliamentary committees have previously commented on the period within which uniform legislation is to be reported by a committee to the House. In its Second Report (August 2002) the Committee provided a Chronology of Events.<sup>2</sup> This is reproduced in Appendix 3.
- 1.19 Originally the terms of reference for the Council Standing Committee on Legislation (**Legislation Committee**) included the scrutiny of uniform legislation. The volume of uniform legislation standing referred to the Legislation Committee during 2001 led to the tabling, in November 2001, of a *Special Report of the Standing Committee on Legislation in relation to Intergovernmental Agreements, Uniform Schemes and Uniform Laws: Amendment to Standing Orders 230(c) and (d) (Special Report)*.<sup>3</sup>
- 1.20 The Special Report noted the history of the development of the standing order. In particular:<sup>4</sup>
- a) It is evident from prior debate in the House on standing orders 230(c) and (d) (the precursors to standing order 230A) and national schemes of uniform legislation, that the imposition of a delay between the second reading speech and the second reading debate in relation to bills implementing uniform legislation was directed at proper scrutiny of such bills by Parliament and proper accountability of executive actions to Parliament.
  - b) An overview of the genesis of the standing order is instructive to understand the reporting back period. Standing order 230(c) was inserted into the standing orders by resolution of the House passed on October 21 1992. In its

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<sup>2</sup> Western Australia, Legislative Council, Standing Committee on Uniform Legislation and General Purposes, *Report No 2: The Work of the Committee during the First Session of the Thirty-Sixth Parliament – May 1 2001 to August 9 2002*, August 2002, Appendix 1.

<sup>3</sup> Western Australia, Legislative Council, Standing Committee on Legislation, *Special Report of the Standing Committee on Legislation in relation to Intergovernmental Agreements, Uniform Schemes and Uniform Laws: Amendment to Standing Orders 230(c) and (d)*, (tabled November 6 2001).

<sup>4</sup> Ibid, pp2-3.

original form, 120 days were to elapse between first reading and commencement or resumption of the second reading. The 120 days was to enable members to scrutinise the bill and raise any concerns. At this time, the standing orders did not provide for referral to a committee.

- c) In 1995, the 120 day period was reduced to the current 30 days “... *on the basis that 30 days should provide sufficient time within which members can identify perceived defects in, or unresolved issues arising from, the bill.*”<sup>5</sup>
- d) It was not until March 1998 that the standing orders provided for referral to a committee. This was on the recommendation of a select committee that had been appointed to review the operations of the Council committee system. The select committee, when discussing the intended ambit of operations for the then Constitutional Affairs Committee, noted:

*It is regrettable that the House has not used the “30 day” rule for its original purpose viz, to give adequate time for the House to consider the full implications for the State of legislation giving effect to intergovernmental agreements. A standing referral of this type of legislation to the Constitutional Affairs Committee after the Minister’s second reading speech would give the committee a 30 day period within which to consider the bill’s implications.*<sup>6</sup>

- 1.21 The Committee notes that the original intent was to allow for a ‘cooling off’ period, initially 120 and later 30 days, during which time it was up to individual members to read the legislation and raise matters of interest or concern when debate was resumed on second reading. Standing referral to a committee came at a later stage and in the expectation that formal consideration by a committee within the 30 days would produce a more informed appreciation of the mechanics, but not the policy, of the legislation.
- 1.22 Where the uniform bills are not accompanied by sufficient information to alert the Parliament to serious constitutional implications, the scrutiny role of the Committee may be the only mechanism to do so. However uniform bills, in general, represent a restriction on the operation of the Committee due to the pressure to report bills without amendment or within a particularly short time frame, such as the 30 days stipulated in standing order 230A(4).

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<sup>5</sup> Western Australia, Legislative Council, Standing Orders Committee, *Report on Motions for Disallowance of Regulations, Documents Quoted from by Member, Uniform Legislation “120 Day” Rule*, September 1995, p5.

<sup>6</sup> Western Australia, Legislative Council, Select Committee to Review the Committee System, *Report*, August 1997, pp17-18.

- 1.23 The quantity of bills that stand referred to the Committee under standing order 230A is considerable and as also noted by the Legislation Committee in its Special Report, there is a growing practice of introducing two or more companion bills in order to give intergovernmental agreements legislative effect.<sup>7</sup>
- 1.24 Much uniform legislation is complex in character and, leaving aside the legislative purpose, the Committee must concern itself with matters such as the jurisdictional interlocking mechanisms and the extent to which (if any) the State is subordinating its instrumentalities or governmental capacities to an external authority.
- 1.25 It is apparent to the Committee that the 30 (calendar) days referred to in standing order 230A(4) is too short a time for many uniform bills to be given anything more than a cursory examination. This is particularly so when information is not promptly provided by the Executive. Although standing order 230A(4) makes provision for a different period to be ordered the 'default period' of 30 (calendar) days needs to be revisited.

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<sup>7</sup> Western Australia, Legislative Council. Standing Committee on Legislation, *Special Report of the Standing Committee on Legislation in relation to Intergovernmental Agreements, Uniform Schemes and Uniform Laws: Amendment to Standing Orders 230(c) and (d)*, (tabled November 6 2001).



**APPENDIX 2**

**CHRONOLOGY OF EVENTS: SCRUTINY OF UNIFORM  
LEGISLATION - PARLIAMENTARY COMMITTEES AND  
LEGISLATIVE COUNCIL**

Date	Event
1989	Council committee system established. Standing Committee on Legislation appointed to scrutinise bills referred by the Council.
1992	Assembly Select Committee on Parliamentary Procedures for Uniform Legislation Agreements reports on uniform legislation.
September 24 1992	<p>Standing order 230(c) inserted into the standing orders by resolution of the House with a time period of <i>120 days</i> as a delay before the second reading debate on the bill may resume in the House. At this stage standing order 230(d) (referral to a committee) did not exist. The 120 days (say 17 weeks) was to enable Members to scrutinise the bill and raise any concerns. Parliamentary debate highlights -</p> <ul style="list-style-type: none"> <li>- Members' concerns about the '120 day rule'. Comments made that not all uniform legislation would require this period of delay and to circumvent the '120 day rule' would require a suspension of standing orders. Comments made that suspension of standing orders would be the norm and not the exception.</li> <li>- Members' desire that draft uniform legislation should be tabled in WA Parliament 6 months before executive governments agree the legislation.</li> </ul>
August 1993	<p>Assembly establishes Standing Committee on Uniform Legislation and Intergovernmental Agreements (<b>SCULIA</b>).</p> <p>SCULIA recommends that Assembly standing orders be amended to require that the second reading debate on a bill giving effect to uniform legislation be adjourned until 120 days have passed, the responsible Minister has tabled information on certain matters (including the background to the negotiations and the text of any draft intergovernmental agreements) and a report has been tabled by SCULIA. Standing order never inserted.</p>
June 15 1995	Council refers standing order 230 to the Standing Orders Committee for report on the motion of Hon Peter Foss MLC. Mr Foss proposes that the

Date	Event
	'120 day rule' be maintained but that legislation be referred to the Standing Committee on Legislation for review during that period. Comments raised during debate reflect those of members on September 24 1992.
June 1995	The concerns of SCULIA are recognised by the Assembly Select Committee on Procedure which recommends in an Interim Report that a sessional order be moved to accommodate SCULIA's concerns. The proposed sessional order also requires the responsible Minister to table certain supporting and background information. The proposal is not proceeded with.
September 1995	Council Standing Orders Committee tables report in Council recommending that standing order 230(c) be amended by deleting "120" and substituting "30" on the basis that 30 days should provide sufficient time within which Members can identify perceived defects in or unresolved issues arising from, the Bill. The committee did not comment on Foss' proposal to refer matters to a committee.  Note: Standing order 230(d) (referral to a committee) not yet inserted.
October 18 1995	Council debates Standing Orders Committee report and resolves to amend standing order 230(c) to read "30 days".
December 1995	Commission on Government Report. COG recommends that SCULIA be abolished and its functions incorporated into a new Council committee. That committee should be called the Standing Committee on Constitutional and Federal/State Affairs.
October 1996	SCULIA responds to the Final Report of the Legislative Assembly Select Committee on Procedure. SCULIA recommends that the role of SCULIA be expanded to look at Federal/State affairs and legal and constitutional issues.
August 1997	Council Select Committee to Review Council Standing Committee System tables report. Recommendations include " <i>That a bill to which the "30 day" rule applies stands referred to the Constitutional Affairs Committee after the Minister's second reading speech and the committee is to report within 30 days of that referral.</i> " (that is, standing order 230(d)).

Date	Event
August 28, September 11 and October 23 1997	Council debates Select Committee report and inserts standing order 230(d) requiring referral of such bills to the Constitutional Affairs Committee.
October 23 1997	Terms of reference of the Council's Constitutional Affairs Committee are amended to include uniform legislation in accordance with 1997 Select Committee report.
June 1998	Legislative Assembly Standing Orders and Procedure Committee tables report. Committee rejects 1995 Commission on Government recommendations and finds instead that SCULIA and Joint Standing Committee on Delegated Legislation should be amalgamated. Neither of the two committees are in favour of the merger.
May 24 2001	Council appoints Legislation Committee with terms of reference encompassing uniform legislation, a role previously performed by SCULIA and Council Constitutional Affairs Committee.
November 6 2001	Legislation Committee tables <i>Special Report of the Standing Committee on Legislation in relation to Intergovernmental Agreements, Uniform schemes and Uniform Laws: Amendment to Standing Orders 230(c) and (d)</i> .
November 13 2001	Council repeals standing orders 230(c) and (d) and inserts standing order 230A.
March 21 2002	Council Procedure and Privileges Committee tables report recommending establishment of a new committee of three members that will address uniform legislation (standing order 230A); proposals for uniform legislation; treaties; and any bill/matter referred by the House or on request from a State or Commonwealth authority.
April 11 2002	Council appoints the Standing Committee on Uniform Legislation and General Purposes Committee.