

**STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES**

*Committee*

The President (Hon Kate Doust) in the chair.

*Fifty-third Report — “Review of the Standing Orders relating to motions on notice” —  
Recommendation 1 — Adoption*

**Hon SIMON O'BRIEN:** I move —

That the temporary order set out in recommendation 1 contained in the fifty-third report of the Standing Committee on Procedure and Privileges, “Review of the Standing Orders relating to motions on notice”, be adopted and agreed to by the Council to apply from 1 January 2019 until, and including, 31 December 2019.

**Hon SUE ELLERY:** If I may, I will take a moment to explain to the chamber that three reports from the Standing Committee on Procedure and Privileges have been the subject of discussion between all the party leaders. We have reached an agreement on a particular course of action that we will take for each of these reports.

The other matter we need to deal with before we rise today is the motion moved earlier today by Hon Michael Mischin, on behalf of the Standing Committee on Uniform Legislation and Statutes Review, for the committee to be granted an extension of time. There are three matters relating to the procedure and privileges committee and the fourth one relates to the uniform legislation committee.

**Hon Nick Goiran:** What about the right of return bill?

**Hon SUE ELLERY:** No.

Regarding the matter before the chamber now, this report recommendation deals with motions on notice. Members will recall there has been a discussion between the parties about how we might make the way that the house deals with motions on notice more efficient. The parties agreed with the recommendations of the report, with the exception of the speaking times for other members. This will be changed from 10 minutes to 20 minutes each. The effect of this change is that we will deal with motions on notice on one Wednesday over a two-hour period with speaking times reduced accordingly, given that we have reduced the period within which we will deal with the motion as a whole. I will move an amendment to the speaking times in section 5 of the temporary order. It will delete the provisions that appear in the report for the times allocated to each of the speakers, and will insert an alternative set of times. The speaking time for the mover of the motion is the same—20 minutes. For the responsible minister or parliamentary secretary, it will be 20 minutes. For other members, it will be 20 minutes, which is different from the 10 minutes that was proposed. The mover in reply will get five minutes and all members will have five minutes to speak on amendments.

*Amendment to Temporary Order — Motion*

**Hon SUE ELLERY:** I move —

To delete —

**Motions on Notice (SO 15(2))**

Mover	20 minutes
Responsible Minister or Parliamentary Secretary	15 minutes
Other Members	10 minutes
Mover in Reply	5 minutes

*Amendments to Motions on Notice*

All Members	5 minutes
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And substitute —

**Motions on Notice (SO 15(2))**

Mover	20 minutes
Responsible Minister or Parliamentary Secretary	20 minutes
Other Members	20 minutes
Mover in Reply	5 minutes

*Amendments to Motions on Notice*

All Members

5 minutes

**Hon PETER COLLIER:** Very quickly, we support both the motion and the amendment. We had an issue with 10 minutes. We thought it diminished the integrity of motions on notice, so this fits very nicely into where we would like to end up with the overall motion. The Liberal Party will support the amendment.

**Amendment put and passed.**

**Question put and passed.**

*Report*

Resolution reported, and the report adopted.

*Committee*

The President (Hon Kate Doust) in the chair.

*Forty-ninth Report — “Treaty function — Standing Committee on Uniform Legislation and Statutes Review” — Recommendation 1 — Adoption*

**Hon SIMON O'BRIEN:** I move —

That recommendation 1 contained in the forty-ninth report of the Standing Committee on Procedure and Privileges, “Treaty function — Standing Committee on Uniform Legislation and Statutes Review”, be adopted and agreed to by the Council.

By way of brief explanation to members, this is the proposal to delete clause 6.3(c) in schedule 1, which is the examination of treaty provision functions by that standing committee.

**Question put and passed.**

*Report*

Resolution reported, and the report adopted.

*Forty-fifth Report — “Outstanding Matters from the 39th Parliament” — Recommendation 2 — Adoption*

Resumed from 24 August 2017 on the following motion moved by Hon Adele Farina —

That recommendation 2 contained in the forty-fifth report of the Standing Committee on Procedure and Privileges, entitled “Outstanding Matters from the 39th Parliament”, be adopted and agreed to.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [4.47 pm]: I think “free-for-all” was the expression that was used. If I can assist the house, this relates to how we deal with standing order 190(2), which has created a procedural obstacle or caused some confusion in the house when a corollary motion that would not ordinarily require any substantive debate has been moved following the tabling of a committee report. The standing order was adopted in 2013 as part of the review undertaken in 2012 by a previous Standing Committee on Procedure and Privileges. The effect of this standing order is that when any one of those motions is moved at the time of tabling a committee report in formal business, it is adjourned and becomes an order of the day for a later stage of that day’s sitting. In order for the house to deal with that motion, the Leader of the House is required to move an order of business motion without notice later that day so debate can proceed on that motion or place the order of the day relating to that business on the Business Program for a subsequent sitting day. As a consequence, the way the standing order is currently worded precludes an agreed procedural motion, such as an extension of a committee’s reporting time, from being immediately put and determined by the house without debate.

The Standing Committee on Procedure and Privileges noted that the rationale of this current standing order to automatically adjourn that motion is to provide members with the opportunity to consider the motion and determine whether to support it. However, when there is general agreement to a proposition that an automatic adjournment interrupts the flow of business and causes inconvenience, the Standing Committee on Procedure and Privileges considered that in circumstances such as a motion for an extension of time, when a chair’s statement has provided the Council with sufficient information and when no member intends to speak because there is agreement, the Council should be competent to dispense with the motion immediately, so the privileges committee recommended the trial of that temporary standing order. This recommendation was discussed between the parties at our business management meeting on 9 October. We achieved consensus that we would oppose this recommendation and the key reason for opposing it was that under the proposed standing order change, if a member wanted to speak to the motion but was not in the chamber and no other member

wished to speak to it, they would not receive the chance to do so. Therefore, we will not be supporting this recommendation.

Question put and negatived.