

**JOINT STANDING COMMITTEE ON THE CORRUPTION AND CRIME COMMISSION**

*Assembly Membership*

Message from the Assembly received and read notifying that the following members had been appointed to the Joint Standing Committee on the Corruption and Crime Commission: Ms M.M. Quirk, and Mr M. Hughes.

*Point of Order*

**Hon NICK GOIRAN:** Madam President, I do not have a copy of that message in front of me, but I think I heard you indicate that it contained a resolution from the Assembly.

**The PRESIDENT:** It is a message from the Assembly, yes.

**Hon NICK GOIRAN:** I draw to your attention standing order 229(2), which indicates —

A Message containing a resolution from the Assembly shall be read and ordered for consideration —

(a) at the next sitting of the Council; ...

**The PRESIDENT:** Hon Nick Goiran, my understanding is that this is just a message telling us what has happened in the other place. It requires no further action other than reading it in today. In terms of making it an order of the day, I have a ruling on that.

*Ruling by President*

**The PRESIDENT:** This is not a matter that can be dealt with as a motion without previous notice having been given. It is not one of the items listed in standing order 65. The only way under standing orders that a member, not being a minister or a parliamentary secretary, can ordinarily move to affect the business of the day is via a notice on motion being given during formal business. Leave of the house or a suspension of standing orders would be required to do otherwise; therefore, I rule the motion out of order.

*Point of Order Resumed*

**Hon NICK GOIRAN:** Further to this matter, Madam President, I thank you for the ruling, which I did not request —

**The PRESIDENT:** It is one we prepared earlier.

**Hon NICK GOIRAN:** Thank you, Madam President.

What I asked was whether the message contained a resolution; I understood that was the case. I would just ask that you take this matter on for a detailed ruling at a later stage of this day's sitting. Standing order 229 plainly indicates that if a message contains a resolution, which this matter does—the Legislative Assembly has resolved and informed this house of the composition of its members for the Joint Standing Committee on the Corruption and Crime Commission—then the matter is to be read, which you have done, and the matter is then to be ordered for consideration at the next sitting of the Council. The only alternative to that is in paragraph (b), which indicates that by order of the Council that matter can be dealt with immediately, or at a later stage of the sitting. If the Leader of the House wants to move such a motion, that we consider this matter immediately, I would be happy to do so.

**Hon SUE ELLERY:** As I read standing order 229, it has two parts. It refers to a message from the Assembly, which we received without delay at the Bar by the Clerk et cetera, and it was reported by the President at the earliest convenient opportunity; that is standing order 229(1). Standing order 229(2) refers to a message containing a resolution. We do not have it in front of us, but I did not hear that it contained a resolution. I understood it was just a message. In any event, I thank the honourable member for his invitation to me, but what I heard—as I said, we do not have it in front of us—was a message, not a resolution.

**The PRESIDENT:** Hon Nick Goiran, just coming back to the point you raised, this is a message that has been given to us; it does not require us to take any action other than to note the message that has come to us. It is not a resolution; it is just advising us of what has occurred in the other place.

**Hon NICK GOIRAN:** Can I just ask whether you will be taking this matter on further consideration and providing a detailed ruling at a later stage today?

**The PRESIDENT:** Hon Nick Goiran, I will seek some further advice and report back to the house at a later stage.

**Hon PETER COLLIER:** Madam President, I am just going off the cuff here, but I think this needs clarification. If you are comfortable with your ruling, of course we will accept it. The thing I am not sure of now, having heard what Hon Nick Goiran just said, is that it is absolutely clear that the message from the Legislative Assembly was not a resolution. If we can just have that confirmed.

**The PRESIDENT:** It is not a resolution; it is a message. But I have already said I am happy to come back at a later stage with more detailed information and a ruling.