

**BUSINESS OF THE HOUSE**

*Order of Business — Motion*

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [1.09 pm] — without notice: I move —  
That orders of the day 1 to 5 be taken after order of the day 20.

*Point of Order*

**Hon NICK GOIRAN:** I note that standing order 15(2) states —

After the conclusion of formal business each Wednesday, motions on notice shall be taken for a period of 120 minutes.

For some reason we have moved directly to orders of the day.

**The PRESIDENT:** Member, I refer you to the temporary standing order on motions on notice. Temporary order 4(6)(b) states that if no written notification is provided to the Clerk by the specified deadline—that would have been last Friday, so that it could be put on the weekly bulletin, but, as I understand it, that did not happen—and unless the Council otherwise orders on motion without notice, business to be taken under standing order 15(2) for the following week shall be vacated and the Council is to proceed to other business. As you would have noted, the house has just agreed to suspend standing orders and not deal with committee reports, which means that the next item of business would be to move to orders of the day.

**Hon NICK GOIRAN:** On the *Daily Notice Paper* I notice there is a motion standing in the name of Hon Pierre Yang, a member of the Australian Labor Party, which had been allocated this Wednesday's session, according to the schedule of allocation under temporary order 4. I question, Madam President, whether we would not now simply move to Hon Pierre Yang's motion.

**The PRESIDENT:** Hon Pierre Yang may have given notice at some point when we last sat that he would put forward that motion, but I refer you to what I have just said. Once the motion has been moved in the house, there is still another process to be followed. The Clerk has to be advised by that member that they are going to proceed with that motion. My understanding is that that did not happen by the deadline last Friday, so that the motion could have been listed on the weekly bulletin. Therefore, we do not proceed with that item, and move on to the next matter of business on the notice paper. Ordinarily, that would have been consideration of committee reports. However, the house has just agreed to suspend standing orders and not deal with committee reports. Therefore, the next item to move on to is orders of the day.

**Hon SUE ELLERY:** I thank you for your advice. On that point of order, if it is helpful to the house and the member, I am happy to take a minute to explain what happened. My office advised the party leaders last week that we would not be proceeding, as, I am advised —

**Hon Peter Collier:** No, I didn't get that.

**Hon SUE ELLERY:** No? Nevertheless, at last night's business management meeting, I advised the parties that we would not be proceeding with the motion today. It was the suggestion of another member that we not deal with committee reports. That was agreed; there was no dissent to that. Although I appreciate that the individual member was not aware that that was the case, the representatives of the respective parties in the house were aware. The reason is that the government was looking to create more time for orders of the day. It was prepared to give up debate on the motion that our member had intended to move, to enable more time to deal with the priority legislation the government wants the house to deal with before we rise for the July break.

**Hon NICK GOIRAN:** Further to the point of order, I hope Hon Rick Mazza has been listening to this. I note that his is the next motion listed on the notice paper. It is clear that the ruling of the house is that it is insufficient to simply give notice of the motion, and that before the Friday prior to the next occasion, extra notice must be given. That is two lots of notice. But be that as it may, my point of order is about standing order 70, which states that motions not moved shall be discharged from the notice paper. I seek your ruling on whether Hon Pierre Yang's motion will stay on the notice paper or has been discharged.

**The PRESIDENT:** Honourable member, it stays, yes.

**Hon NICK GOIRAN:** I really wanted to have that debate.

**The PRESIDENT:** Member, I appreciate that you may want to do that. My understanding is that it stays. The member has not sought to discharge it from the notice paper.

**Hon Nick Goiran** interjected.

**The PRESIDENT:** Just let me finish what I am going to say. It may very well be that whilst the member may not have elected to proceed with the motion today, it does not prevent that particular member from seeking to move and deal with that motion on another occasion.

**Hon PETER COLLIER:** I do not want to pursue this too much further, Madam President. I was a little confused, to be honest. I did not actually receive anything from the minister's office.

**Hon Sue Ellery:** No, I do not think it did happen.

**Hon PETER COLLIER:** In terms of clarification, and on the point of order, Madam President, I thought there was still a likelihood that we would be dealing with this motion, but we got a bit of wind that perhaps Hon Pierre Yang was not going to move it. However, because it was on the *Daily Notice Paper* yesterday, I assumed that it would be dealt with today, and that it would be up to the government to determine today whether that would be the case. I think that confusion did legitimately exist, and that is where it stemmed from.

**Hon Sue Ellery:** Will you take an interjection?

**The PRESIDENT:** No. I am just going to say that whilst bills and motions might be listed on the *Daily Notice Paper*, the weekly bulletin determines what we actually do in here. The motion was not listed on the weekly bulletin. Just coming back to the earlier comments of Hon Nick Goiran about the process, whilst it might come as news that there are additional layers, if you like, the system has actually been operating for some time now, and this is the first time there has been a hiccup, or a change. Other members who have been dealing with motions have obviously worked through that process and have notified the Clerk by the appropriate time so that the motion they wanted to deal with was listed on the weekly bulletin. I think that those people who are engaged in that process have been following it quite well, but it does not hurt to remind people.

*Debate Resumed*

**The PRESIDENT:** Members, the Leader of the House has moved that orders of the day 1 to 5 be taken after order of the day 20. The question is that the motion be agreed to.

**HON RICK MAZZA (Agricultural)** [1.17 pm]: Thank you, Madam President. I just want to clarify the motions on notice today, if I can. The motion moved by Hon Pierre Yang remains on the notice paper.

**The PRESIDENT:** Yes.

**Hon RICK MAZZA:** Does that mean that next week —

**The PRESIDENT:** No.

**Hon RICK MAZZA:** No. So Hon Pierre Yang's motion will be deferred to a later time on the roster for the ALP?

**The PRESIDENT:** Possibly. He has vacated the space today. The next time we get to deal with motions on notice, it is whoever is next in the queue, on the list. The question of whether Hon Pierre Yang's motion is moved for debate and is debated is really up to his party in terms of its next allocated time and whether it provides that opportunity to Hon Pierre Yang or another member.

**Hon RICK MAZZA:** Thank you, Madam President. So, next week, the motion I have on the notice paper will be debated?

**The PRESIDENT:** Yes, so long as you notify the Clerk in due course by the appropriate time.

Several members interjected.

**The PRESIDENT:** If you fail to do that, it will be nobody else's fault but yours, because you all know now that that is the process.

Question put and passed.