



FORM OF WORDS

FOR

MEMBERS

Prepared for the assistance of Members when dealing with questions before the Council and the Committee of the Whole House.

Last Updated: April 2021

CONDOLENCE MOTIONS

(Standing Order 14(1)(b))

Condolence motions are moved in the Council when a Member or former Member of the Legislative Council has passed away. The Leader of the House moves the condolence motion. There is no time limit on the debate and each Member may speak to the motion.

Leader of the House

I move, That this Council expresses its deep regret at the death of [name], a former Member of the Legislative Council for the [region] Region, and places on record its appreciation for [his/her] long public service and tenders its profound sympathy to [his/her] family in their bereavement.

President

Puts the question. Members may then speak to the motion.

When the final Member has spoken to the motion –

President

In putting this motion, I ask Members to now rise and stand in your places to indicate your support for the motion and to observe one minute's silence in memory of the late [name], esteemed former Member of this Council.

Question passed, Members standing in their places.

President

Thank you Members. I advise that, in accord with our custom and practice, a copy of the Hansard transcript of this condolence motion will be forwarded to [name]'s family.

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DIVISIONS

(Standing Orders 78 to 81)

A question is determined in the affirmative or negative by the President or Chair declaring an opinion whether the ‘Ayes’ or ‘Noes’ have it, **unless a Member calls for a division immediately following this declaration.**

President/Chair

I think the Ayes/Noes have it.

Member

Divide!

President/Chair

There being a call for a division, ring the bells.

The bells are rung for 2 minutes, at the conclusion of which –

President/Chair

Lock the doors.

Members, the question is [states the question].

*Members voting with the Ayes shall pass to the right of the Chair,
Members voting with the Noes shall pass to the left of the Chair.*

*I appoint the Hon. [name] Teller for the Ayes, and
appoint the Hon. [name] Teller for the Noes.*

Chair/Deputy Chair

and before the Tellers tell, I cast my vote with the Ayes/Noes.

Once the President/Chair has received the signed division sheets –

President/Chair

Members, the results of the division are:

Ayes [], Noes [],

the question is resolved in the affirmative/negative.

AMENDMENTS TO MOTIONS AND QUESTIONS

(Standing Orders 85 to 92)

In many instances, a question before the Council or Committee of the Whole House may be amended. An amendment proposed is disposed of before another amendment to the original question may be moved. However, an amendment to an amendment may be proposed before the original amendment is resolved.

Amendment to delete words

Member

I move, To delete the word(s) [].

President/Chair

Puts the question [see Standing Order 88].

Members, The question is, That the word(s) proposed to be deleted, be deleted.

If resolved in the affirmative –

Members, The question now is, That the motion/amendment as amended be agreed to.

Amendment to insert words

Member

I move, To insert after [] the word(s) [].

President/Chair

Puts the question [see Standing Order 88].

Members, The question is, That the word(s) proposed to be inserted, be inserted.

If resolved in the affirmative –

Members, The question now is, That the motion/amendment as amended be agreed to.

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Amendment to delete words with a view to substituting other words

Member

I move, To delete the word(s) []/all words after [] and substitute the following – [].

President/Chair

Puts the question in two parts (the second subject to the first being passed).

Members, The question is, That the word(s) proposed to be deleted, be deleted.

If resolved in the affirmative –

Members, The question now is, That the word(s) proposed to be inserted, be inserted.

If resolved in the affirmative –

Members, The question now is, That the motion/amendment as amended be agreed to.

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AMENDMENT TO ORDER OF BUSINESS

(Standing Order 17)

A Minister or Parliamentary Secretary may move without notice that the sequence of Orders of the Day on the Business Program be varied, or other items of business on the Notice Paper be added to the Business Program.

Minister/Parliamentary Secretary

I move, That Order(s) of the Day No(s) # be taken before/after Order of the Day No. #.

or

I move, That Order(s) of the Day No(s) # on the Notice Paper be added to the Business Program.

President

Puts the question. If resolved in the affirmative –

Members, we are now dealing with Order of the Day No. #.

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BILLS

Notice of a Bill

(Standing Orders 60, 121)

Member in charge of the Bill

*I give notice that at the next sitting of the Council I will move,
That a Bill for an Act [long title] be introduced and read a first time.*

First Reading

(Standing Order 124)

For a Council Bill

Minister

I move, That Bills for Introduction (No(s) #) be now taken.

President

Puts the question. If resolved in the affirmative –

Members, we are dealing with Bills for Introduction (No(s) #).

Member in charge of the Bill

*I move, That a Bill for an Act [long title] be introduced and read a
first time.*

President

Puts the question. If resolved in the affirmative –

Clerk reads the long title.

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For an Assembly Bill

After the message containing the Bill has been reported by the President –

Member in charge of the Bill

I move, That the Bill contained in Legislative Assembly Message No. [] be now read a first time.

President

Puts the question. If resolved in the affirmative –

Clerk reads the long title.

Second Reading

(Standing Orders 125, 126)

Following the first reading of the Bill –

Member in charge of the Bill

I move, That the Bill be now read a second time.

[Member reads their second reading speech]

[Member tables an explanatory memorandum to the Bill]

At the conclusion of the Member's second reading speech –

President

The explanatory memorandum is tabled and debate stands adjourned.

or, if the Bill is a Uniform Legislation Bill –

The explanatory memorandum is tabled, debate stands adjourned and, in accordance with Standing Order 126, the Bill is referred to the Uniform Legislation and Statutes Review Committee.

Unless the Bill is a Uniform Legislation Bill, the second reading debate is then adjourned for –

- (a) 2 weeks for a Council Bill; or
- (b) one week for an Assembly Bill.

Second Reading resumed

Members

Following resumption to the second reading debate, all other Members (other than the Member in charge of the Bill) are entitled to speak to the question for the second reading of the Bill.

Cognate Debate

(Standing Order 127)

By leave, complementary Bills may be debated cognately at the second and third reading stages.

Member in charge of the Bill

I seek leave of the Council to debate Orders of the Day Nos # and # cognately.

President

Is leave granted?

If leave is granted, the President reads out the Orders of the Day and the question, *That the Bills be read a second time.*

A Member who has not spoken may move, *That the debate be adjourned to a later stage of the sitting/the next sitting of the Council.*

[normally this would be a Whip]

Member in charge of the Bill

Once all Members have spoken, the Member in charge of the Bill speaks in reply. The second reading speech in reply closes the second reading debate.

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President

The question is, That the Bill be now read a second time.

Puts the question. If resolved in the affirmative –

Clerk reads the long title.

Unless leave is granted to proceed directly to the third reading stage or a motion is proposed and resolved in the affirmative for the Bill to be –

- (a) considered by the Committee of the Whole House at a later stage of the sitting/the next sitting of the Council; or
- (b) referred to a Committee,

the President leaves the chair and the Council forms a Committee of the Whole House, with the Chair of Committees or a Deputy Chair of Committees presiding.

Leave to Proceed to Third Reading

(Standing Order 129(d))

Member in charge of the Bill

I seek leave of the Council to proceed forthwith to the third reading of the Bill.

President

Is leave granted?

If leave is granted, the Member in charge of the Bill may move the third reading immediately, or that the third reading of the Bill be made an Order of the Day for a later stage of the sitting/the next sitting of the Council.

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Committee of the Whole House Stage

(Standing Orders 129 to 136)

Chair

We are dealing with the (name of the Bill) (Bill No.)

The Chair will then indicate if there are proposed amendments and the Supplementary Notice Paper No.

The question is, That Clause 1 stand as printed.

The debate on Clause 1 (the short title) does no more than give members the opportunity to range over the clauses of the Bill, foreshadow amendments and indicate, consistent with the policy of the Bill, how its form or content might be improved. It is not a vehicle for continuing debate on the policy of the Bill, which has been decided at the second reading stage.

The order for considering clauses and schedules of the Bill, both as printed and proposed insertions, is specified in Standing Order 130.

In accordance with Standing Order 132, any number of –

- (a) clauses or schedules; or
- (b) amendments in any one or more clauses or schedules,

may, by leave, be put as one question.

Committee of the Whole House Stage – Reporting Progress

(Standing Order 118)

Member

I move, That the Chair report progress and seek to sit again.

Chair

Puts the question. If resolved in the affirmative, the President resumes the Chair and the Chair of Committees reports –

Mr/Madam President, I have to report that the Committee of the Whole House has considered the [Bill title], made progress and seeks to sit again.

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Member in charge of the Bill

I move, That the report be adopted.

President

Puts the question. If resolved in the affirmative, the report is adopted, the Order of the Day is adjourned and the next item of business is called.

After the long title has been agreed to –

Member in charge of the Bill

I move, That you do now report the Bill to the Council.

Chair

Puts the question. If resolved in the affirmative, the President resumes the Chair and the Chair of Committees reports –

Mr/Madam President, I have to report that the Committee of the Whole House has considered the [Bill title] and agreed to same with/without amendment(s).

If the Bill has been amended

Member in charge of the Bill

I move, That consideration of the report of the Committee of the Whole House be made an Order of the Day for the next sitting of the Council.

President

Puts the question. If resolved in the affirmative, the consideration of the report is set down for the next sitting of the Council, and the next item of business is called.

At the next sitting of the Council –

Member in charge of the Bill

I move, That the report be adopted.

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President

Puts the question. If resolved in the affirmative –

Member in charge of the Bill

I move, That the third reading of the Bill be made an Order of the Day for the next sitting of the Council.

President

Puts the question. If resolved in the affirmative, the Order of the Day is set down for the next sitting of the Council, and the next item of business is called.

If the Bill has *not* been amended

Member in charge of the Bill

I move, That the report be adopted.

President

Puts the question. If resolved in the affirmative, the report is adopted and the third reading of the Bill may be moved.

Recommittal of a Bill

(Standing Order 138)

Prior to the question for the third reading being moved, the Bill may be recommitted to the Committee of the Whole House, for the purpose of (re)considering certain parts of the Bill or new proposed amendments.

Member in charge of the Bill

I move, That the Bill be recommitted for the purpose of [(re)considering certain clauses/parts/divisions/schedules of the Bill or new proposed amendments].

President

Puts the question. If resolved in the affirmative, the Bill is recommitted to the Committee of the Whole House and the relevant process recommences.

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Third Reading

(Standing Orders 140 and 141)

Member in charge of the Bill

*I move, That the Bill be now read a third time.
[Member makes their third reading speech]*

Members

All other Members (other than the Member in charge of the Bill) are entitled to also speak to the question for the third reading of the Bill.

Member in charge of the Bill

Once all Members have spoken, the Member in charge of the Bill speaks in reply. The third reading speech in reply closes the third reading debate.

President

The question is, That the Bill be now read a third time.

Puts the question. If resolved in the affirmative –

Clerk reads the long title.

and the Bill is passed.

