



**THIRTY-NINTH PARLIAMENT**

**REPORT 33**  
**STANDING COMMITTEE ON PROCEDURE AND**  
**PRIVILEGES**  
**TEMPORARY ORDERS — 2015**

Presented by Hon Barry House MLC (Chair)

November 2014

## STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

**Date first appointed: 24 May 2001**

### **Terms of Reference:**

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

#### **“1. Procedure and Privileges Committee**

- 1.1 *A Procedure and Privileges Committee* is established.
- 1.2 The Committee consists of 5 Members, including the President and the Chair of Committees, and any Members co-opted by the Committee whether generally or in relation to a particular matter. The President is the Chair, and the Chair of Committees is the Deputy Chair, of the Committee.
- 1.3 With any necessary modifications, Standing Order 163 applies to a co-opted member.
- 1.4 The Committee is to keep under review the law and custom of Parliament, the rules of procedure of the Council and its Committees, and recommend to the Council such alterations in that law, custom, or rules that, in its opinion, will assist or improve the proper and orderly transaction of the business of the Council or its Committees.”

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

Hon Barry House MLC (Chair)

Hon Adele Farina MLC (Deputy Chair)

Hon Nick Goiran MLC

Hon Colin Holt MLC

Hon Kate Doust MLC

### **Staff as at the time of this inquiry:**

Nigel Pratt (Clerk)

Nigel Lake (Deputy Clerk)

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## REPORT OF THE STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

### IN RELATION TO THE TEMPORARY ORDERS — 2015

#### 1 REFERENCE

- 1.1 On Wednesday, 14 May 2014 the *Procedure and Privileges Committee* (“the PPC”) considered a proposal to review the Legislative Council Sitting Hours and Order of Business for the purpose of revising the sitting hours on Wednesday evenings to achieve an earlier adjournment time.

#### 2 BACKGROUND TO THE REFERENCE

- 2.1 On Thursday, 5 December 2013 during the time provided for Private Members’ Business, the Council debated the following private member’s motion:

*That this Council discuss the Legislative Council sitting times with a view to changing them.*

- 2.2 The private member’s motion was moved and debated pursuant to SO 112 and lapsed upon the conclusion of the debate. Without a deliberative vote being taken by the House there was no indication one way or the other as to whether the House agreed with or rejected the proposition discussed during the debate on the motion.
- 2.3 The PPC, noting the debate on the private member’s motion, resolved to inquire into the current sitting and adjournment times provided for under the Standing Orders with a view to determining whether alternative times would be preferable.

#### 3 APPROACH BY THE PPC

- 3.1 The consensus approach by the PPC was to seek to achieve an earlier adjournment time on Wednesday evenings without reducing the time available for particular items of business or the total weekly sitting time currently provided for under the Standing Orders.
- 3.2 The PPC noted that the various party-political, Legislative Council committee and other meeting arrangements may be affected as a consequence of an adjustment to the Wednesday sitting schedule. Additionally, the PPC was mindful of the potential for changes to the Order of Business to reduce the available time of particular items of business and the effect that this may have on the orderly transaction of the business.
- 3.3 In order to achieve an earlier adjournment on Wednesday evenings, the PPC sought advice from the Clerks and discussed a number of options regarding various adjustments to the Order of Business. Several options to ‘recover’ business time lost

as a result of the implementation of any of the proposed adjustments were similarly explored by the PPC.

#### **4 OPTIONS FOR REVISED SITTING HOURS ON WEDNESDAY**

4.1 Noting the general tenor of the debate during the private member's motion, the PPC concluded that a general consensus exists amongst current members of the Legislative Council to move towards an earlier adjournment time on Wednesday evenings.

4.2 The PPC considered various arrangements and adjustments to the Order of Business that would facilitate an earlier adjournment on Wednesday evenings, and the recovery of lost business time resulting from any adjustment.

4.3 The two options that, in the opinion of the PPC, will realise each of these outcomes were as follows:

a) Option 1:

- Tuesday and Wednesday sittings to start one hour earlier;
- Wednesday sittings to conclude at 6.20pm with Members' Statements to follow.

b) Option 2:

- Tuesday sittings to start one hour earlier (2.00pm);
- Tuesday dinner break to be reduced to one hour (6.00pm to 7.00pm);
- Wednesday sittings to conclude at 6.20pm with Members' Statements to follow; and
- Wednesday and Thursday afternoon tea suspensions to be discontinued.

4.4 The two options outlined above are visually represented in Appendix 2.

4.5 The PPC subsequently agreed to a resolution authorising the distribution of these options to the other members of the Legislative Council for the purpose of seeking the opinions and preferences of those members.

4.6 On Wednesday, 22 October 2014 the PPC considered the feedback received from the Legislative Council membership. The PPC noted that the majority view of the members, as reported to the PPC, indicated support for Option 1.

**5 TEMPORARY ORDERS**

- 5.1 The PPC considers that the adoption of Temporary Orders would provide an appropriate mechanism to implement any proposed adjustments to the Order of Business on a trial basis commencing from the first sittings in 2015 until the winter recess. The temporary nature of the new arrangements provides a suitable method to review and evaluate the success or otherwise of the Temporary Orders and for the House to determine whether they should become a permanent feature of the Council's operation.
- 5.2 The PPC is of the unanimous view that the House should decide whether or not to accept the proposal before the House adjourns at the end of the scheduled 2014 sittings in December.
- 5.3 Accordingly, the PPC recommends that the Council adopt Temporary Orders giving effect to the objectives outlined in this report. The Temporary Orders giving effect to the proposal are appended to this report in Appendix 1.

**6 CONSIDERATION OF COMMITTEE REPORTS**

- 6.1 On Tuesday, 14 October 2014 the President received correspondence from a member of the Legislative Council relating to the time limits imposed by Standing Order 21 for the consideration of committee reports.
- 6.2 The correspondence expressed concern that the considerable effort and value of the reports produced by committees and presented to the Council were, in some instances, diminished due to the existing time limits provided for their consideration. The member further proposed a number of remedies for the consideration of the PPC.
- 6.3 The PPC noted the timeliness of the correspondence and the issues raised. The PPC agreed that it was an opportune moment to explore the remedies proposed in the correspondence and recommends additional temporary orders to trial new arrangements to address this issue.
- 6.4 The further orders agreed to by the PPC are included in the Temporary Orders in Appendix 1.

**7 RECOMMENDATION**

- 7.1 The PPC recommends that the Temporary Orders appended to this report be adopted at the earliest convenience of the House, or prior to the House rising on the final sitting day in December 2014.

**Recommendation 1:**

**That the Legislative Council adopt the Temporary Orders contained in Appendix 1 of this report.**



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**Hon. Barry House MLC**  
**Chair**  
**19 November 2014**



# APPENDIX 1

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## 1 PROPOSED TEMPORARY ORDERS

1.1 The proposed Temporary Orders giving effect to the proposal are as follows:

### TEMPORARY ORDERS

The Legislative Council adopts the following Temporary Orders -

#### 1. Duration of Temporary Orders

These Temporary Orders apply until (and including) 3 July 2015.

#### 2. Days and Times of Meeting

Standing Order 5, paragraphs (1) to (3) inclusive are suspended and replaced by the following Temporary Orders -

(1) Unless otherwise ordered, the Council shall meet for business on the days and at the times as follows -

Tuesday 2.00 pm

Wednesday 1.00 pm

Thursday 10.00 am

(2) Unless otherwise ordered by the President, the proceedings of the House shall be suspended on the days and at the times as follows -

Tuesday 6.00 pm to 7.30 pm

Wednesday 4.15 pm to 4.30 pm

Thursday 1.00 pm to 2.00 pm and 4.15 pm to 4.30 pm

(3) Unless sooner adjourned or following business taken under (5), the Council stands adjourned at the following times -

Tuesday 10.25 pm

Wednesday 7.00 pm

Thursday 6.00 pm

**3. Time Limits on Speeches**

Standing Order 21, debate times for “**Consideration of Committee Reports**” is suspended and replaced by the following Temporary Order —

**Consideration of Committee Reports**

All Members                      three periods of 10 minutes per report

**4. Maximum Time Limits for Certain Business Items**

Standing Order 23, paragraph (1)(b) is suspended.

**5. Consideration of Committee Reports**

Standing Order 110 is amended by inserting the following Temporary Order —

- (2A) Where the debate on an order of the day listed under (2) has reached one hour of consideration and further orders of the day are listed on the Notice Paper, the debate on the order of the day shall be postponed.
- (2B) An order of the day postponed under (2A) shall be listed for further consideration after the orders of the day for the consideration of committee reports listed on that day’s Notice Paper and not disposed of.

## 2 ORDER OF BUSINESS ON A SITTING DAY — TEMPORARY ORDERS

### 2.1 The Order of Business on a Sitting Day is as follows:

TIMES	TUESDAY	WEDNESDAY	THURSDAY	TIMES
10.00am 10.15am			HOUSE MEETS FORMAL BUSINESS *	10.00am 10.15am
10.15am 11.35am			NON-GOVERNMENT BUSINESS (80 minutes)	10.15am 11.35am
11.35am 12:35pm			PRIVATE MEMBERS' BUSINESS (60 minutes)	11.35am 12.35pm
12.35pm 1.00pm			ORDERS OF THE DAY	12.35pm 1.00pm
1.00pm 1.15pm		HOUSE MEETS FORMAL BUSINESS *	LUNCH	1.00pm 1.15pm
1.15pm 2.00pm				1.15pm 2.00pm
2.00pm 2.15pm	HOUSE MEETS FORMAL BUSINESS *	MOTIONS ON NOTICE (120 minutes)		
2.15pm 3.15pm	ORDERS OF THE DAY		ORDERS OF THE DAY	2.15pm 3.15pm
3.15pm 4.15pm		CONSIDERATION OF COMMITTEE REPORTS (60 minutes) ‡		
4.15pm 4.30pm		AFTERNOON TEA	AFTERNOON TEA	4.15pm 4.30pm
4.30pm 5.00pm	QUESTIONS WITHOUT NOTICE	QUESTIONS WITHOUT NOTICE	QUESTIONS WITHOUT NOTICE	4.30pm 5.00pm
5.00pm 5.20pm	ORDERS OF THE DAY	ORDERS OF THE DAY †	ORDERS OF THE DAY †	5.00pm 5.20pm
5.20pm 6.00pm			MEMBERS' STATEMENTS Δ	
6.00pm 6.20pm	DINNER			6.00pm 6.20pm
6.20pm 7.00pm		MEMBERS' STATEMENTS Δ		6.20pm 7.00pm
7.00pm 7.30pm				7.00pm 7.30pm
7.30pm 9.45pm	ORDERS OF THE DAY †			7.30pm 9.45pm
9.45pm 10.25pm	MEMBERS' STATEMENTS Δ			9.45pm 10.25pm

**Note:** Time periods above are not to scale, and many times are estimates only [see below].

\* **Formal Business** is: prayers, condolence motions, reporting of Governor's messages, presentation of petitions, statements by Ministers and Parliamentary Secretaries, presentation of papers for tabling, giving notices of questions, giving notices of motions to introduce Bills, giving notices of motions to disallow statutory instruments, giving notices of motions, and motions without notice (see SO 14).  
**No maximum time is set for Formal Business - the House proceeds to other business after Formal Business has concluded.**

‡ When the 60 minutes allocated for Consideration of Committee Reports concludes prior to 4.15pm (afternoon tea), Orders of the Day will commence at that time.

† When in Committee of the Whole House immediately prior to the time for Members' Statements to commence, debate will be interrupted shortly prior to the assigned time to allow for reporting to the Council.

Δ Members' Statements may be extended by an additional 10 minutes, and Assembly Messages may be taken after Members' Statements, pursuant to Standing Order 5(5).

## APPENDIX 2

### 1 OPTIONS CONSIDERED BY THE PPC — ORDER OF BUSINESS ON A SITTING DAY

#### 1.1 Option 1:

TIMES	TUESDAY	WEDNESDAY	THURSDAY	TIMES
10.00am 10.15am			HOUSE MEETS FORMAL BUSINESS *	10.00am 10.15am
10.15am 11.35am			NON-GOVERNMENT BUSINESS (80 minutes)	10.15am 11.35am
11.35am 12.35pm			PRIVATE MEMBERS' BUSINESS (60 minutes)	11.35am 12.35pm
12.35pm 1.00pm			ORDERS OF THE DAY	12.35pm 1.00pm
1.00pm 1.15pm		HOUSE MEETS FORMAL BUSINESS *	LUNCH	1.00pm 1.15pm
1.15pm 2.00pm				1.15pm 2.00pm
2.00pm 2.15pm	HOUSE MEETS FORMAL BUSINESS *	MOTIONS ON NOTICE (120 minutes)		
2.15pm 3.15pm			ORDERS OF THE DAY	2.15pm 3.15pm
3.15pm 4.15pm	ORDERS OF THE DAY	CONSIDERATION OF COMMITTEE REPORTS (60 minutes) ‡		3.15pm 4.15pm
4.15pm 4.30pm		AFTERNOON TEA	AFTERNOON TEA	4.15pm 4.30pm
4.30pm 5.00pm	QUESTIONS WITHOUT NOTICE	QUESTIONS WITHOUT NOTICE	QUESTIONS WITHOUT NOTICE	4.30pm 5.00pm
5.00pm 5.20pm	ORDERS OF THE DAY		ORDERS OF THE DAY †	5.00pm 5.20pm
5.20pm 6.00pm		ORDERS OF THE DAY †	MEMBERS' STATEMENTS Δ	5.20pm 6.00pm
6.00pm 6.20pm	DINNER			6.00pm 6.20pm
6.20pm 7.00pm		MEMBERS' STATEMENTS Δ		6.20pm 7.00pm
7.00pm 7.30pm				7.00pm 7.30pm
7.30pm 9.45pm	ORDERS OF THE DAY †			7.30pm 9.45pm
9.45pm 10.25pm	MEMBERS' STATEMENTS Δ			9.45pm 10.25pm

Note: Time periods above are not to scale, and many times are estimates only [see below].

\* Formal Business is: prayers, condolence motions, reporting of Governor's messages, presentation of petitions, statements by Ministers and Parliamentary Secretaries, presentation of papers for tabling, giving notices of questions, giving notices of motions to introduce Bills, giving notices of motions to disallow statutory instruments, giving notices of motions, and motions without notice (see SO 14).  
No maximum time is set for Formal Business - the House proceeds to other business after Formal Business has concluded.

‡ When the 60 minutes allocated for Consideration of Committee Reports concludes prior to 4.15pm (afternoon tea), Orders of the Day will commence at that time.

† When in Committee of the Whole House immediately prior to the time for Members' Statements to commence, debate will be interrupted shortly prior to the assigned time to allow for reporting to the Council.

Δ Members' Statements may be extended by an additional 10 minutes, and Assembly Messages may be taken after Members' Statements, pursuant to Standing Order 5(5).

## 1.2 Option 2:

TIMES	TUESDAY	WEDNESDAY	THURSDAY	TIMES
10.00am 10.15am			HOUSE MEETS FORMAL BUSINESS *	10.00am 10.15am
10.15am 11.35am			NON-GOVERNMENT BUSINESS (80 minutes)	10.15am 11.35am
11.35am 12:35pm			PRIVATE MEMBERS' BUSINESS (60 minutes)	11.35am 12.35pm
12.35pm 1.00pm			ORDERS OF THE DAY	12.35pm 1.00pm
1.00pm 2.00pm			LUNCH	1.00pm 2.00pm
2.00pm 2.15pm	HOUSE MEETS FORMAL BUSINESS *	HOUSE MEETS FORMAL BUSINESS *	ORDERS OF THE DAY	2.00pm 2.15pm
2.15pm 3.00pm	ORDERS OF THE DAY	MOTIONS ON NOTICE (120 minutes) ‡		2.15pm 3.00pm
3.00pm 3.15pm				3.00pm 3.15pm
3.15pm 4.15pm		3.15pm 4.15pm		
4.15pm 4.30pm		4.15pm 4.30pm		
4.30pm 5.00pm	QUESTIONS WITHOUT NOTICE	QUESTIONS WITHOUT NOTICE	QUESTIONS WITHOUT NOTICE	4.30pm 5.00pm
5.00pm 5.20pm	ORDERS OF THE DAY	CONSIDERATION OF COMMITTEE REPORTS (Continued) ‡	ORDERS OF THE DAY †	5.00pm 5.20pm
5.20pm 5.45pm		ORDERS OF THE DAY †	MEMBERS' STATEMENTS Δ	5.20pm 5.45pm
5.45pm 6.00pm				5.45pm 6.00pm
6.00pm 6.20pm	DINNER	MEMBERS' STATEMENTS Δ		6.00pm 6.20pm
6.20pm 7.00pm				6.20pm 7.00pm
7.00pm 9.45pm	ORDERS OF THE DAY†			7.00pm 9.45pm
9.45pm 10.25pm	MEMBERS' STATEMENTS Δ			9.45pm 10.25pm

Note: Time periods above are not to scale, and many times are estimates only [see below].

\* Formal Business is: prayers, condolence motions, reporting of Governor's messages, presentation of petitions, statements by Ministers and Parliamentary Secretaries, presentation of papers for tabling, giving notices of questions, giving notices of motions to introduce Bills, giving notices of motions to disallow statutory instruments, giving notices of motions, and motions without notice (see SO 14).

No maximum time is set for Formal Business - the House proceeds to other business after Formal Business has concluded.

‡ When the 120 minutes allocated for Motions on Notice concludes prior to 4.15pm (afternoon tea), Consideration of Committee Reports will commence at that time. If Motions on Notice commence after 2.15pm, the 120 minute allocation for that debate will conclude after Questions without Notice, and Consideration of Committee Reports will conclude after the dinner break.

† When in Committee of the Whole House immediately prior to the time for Members' Statements to commence, debate will be interrupted shortly prior to the assigned time to allow for reporting to the Council.