

HOUSE OF REPRESENTATIVES

# Standing Orders

AS AT 12 May 2024

DEPARTMENT OF THE HOUSE OF REPRESENTATIVES  
CANBERRA

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# Chapter 1. Definitions

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## ***Chapter outline***

This chapter contains some basic standing orders:

- definitions used throughout; and
  - a statement on how the standing orders apply in proceedings.
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## **Maximum time limits apply when speaking**

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## **Definitions and application**

### **2 Definitions**

The following meanings apply throughout these standing orders.

***absolute majority*** is a majority of the membership of the House (including the Speaker).

***amending bill*** means a bill whose principal purpose is to amend an existing Act or Acts.

***Appropriation Bills*** are bills which appropriate money to fund annual government expenditure (other bills may appropriate money for special purposes).

***area of Members' seats*** means the area of seats on the floor of the Chamber reserved for Members. It does not include seats in the advisers' box or special galleries, but does include the seat where the Serjeant-at-Arms usually sits. The expression is used in *standing orders 128 and 129 (divisions)*. See figure 1.

***Assistant Minister*** see ***Minister***.

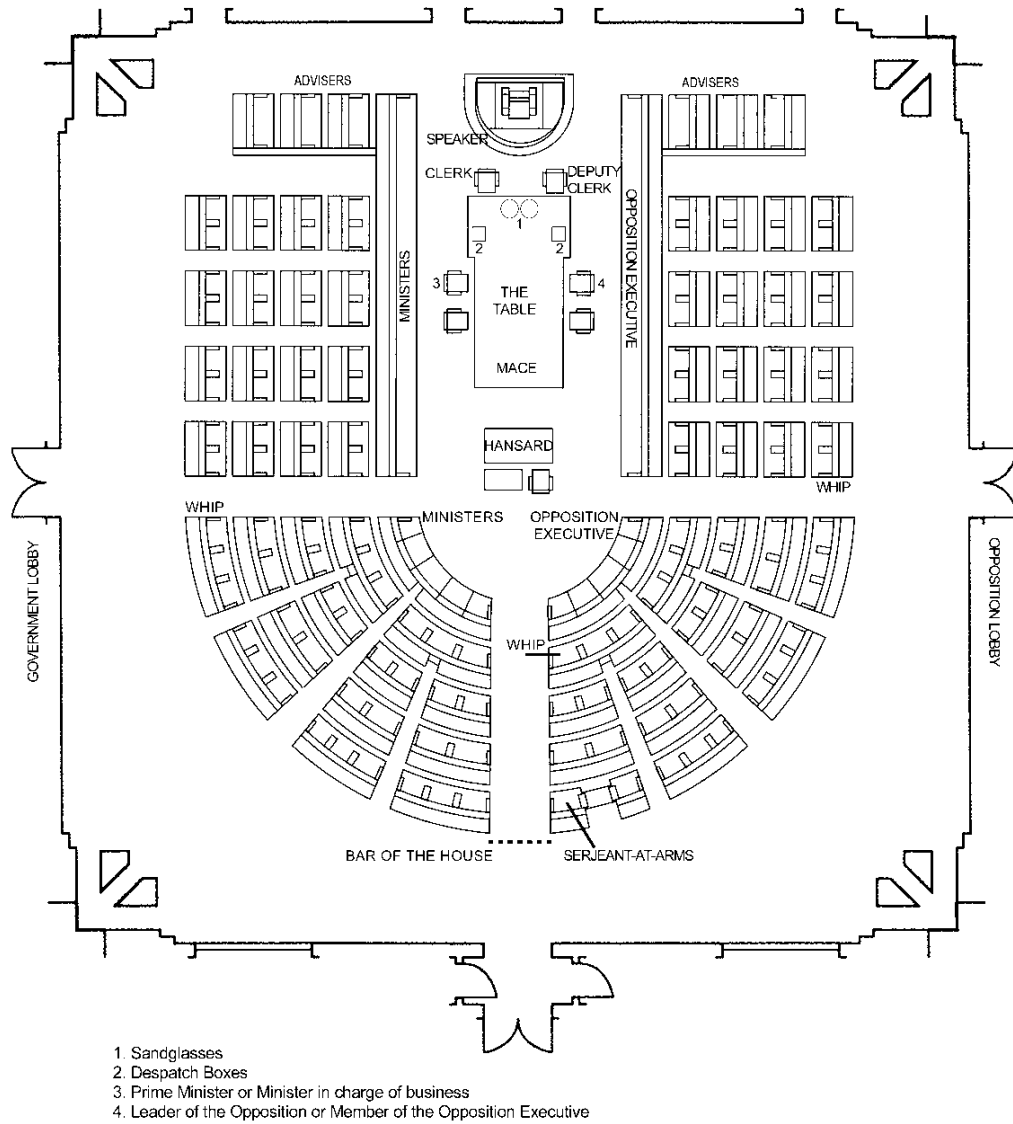
***Chief Government Whip*** includes another government whip acting on behalf of the Chief Government Whip.

***Chief Opposition Whip*** includes another opposition whip acting on behalf of the Chief Opposition Whip.

***Clerk at the Table*** means the person performing the duties of the Clerk in the Chamber. The term is used when duties are performed during a sitting.

***committee*** includes a House or joint, standing or select committee.

**Figure 1. The Chamber**



**count out** is the adjournment of the House because of the lack of a quorum of Members (currently 3 without Senators, and 5 with Senators).

**document** means a paper or any record of information, and includes:

- (i) anything on which there is writing;
- (ii) anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them;
- (iii) anything from which sounds, images or writings can be produced with or without the aid of anything else; or
- (iv) a map, plan, drawing or photograph.

**evidence** means the information (whether or not confidential) provided by witnesses (whether or not under oath or affirmation) and inquiry contributions, to the House or a committee. It includes:

- (i) oral or written information provided by a witness in response to questions of the House or a committee, as relevant; and
- (ii) written submissions from inquiry contributors which address the terms of reference of a committee's inquiry and which have been formally accepted by the committee.

**Federation Chamber** means the Federation Chamber of the House of Representatives established by *standing order 183*.

**House bill** is a bill originating in the House.

**laid aside** means that the House has decided not to proceed with a particular proposal and has resolved to put an end to it.

**leave, by** means that no Member present objects.

**Main Appropriation Bill** means the main bill in a year appropriating money to fund expenditure for the ordinary annual services of government — that is, Appropriation Bill (No.1).

**Member** means any Member of the House of Representatives. **Private Member** means a Member other than the Speaker or a Minister.

**Non-aligned member** means a Member who is neither a government Member nor an opposition Member.

**Minister** includes Parliamentary Secretary\* except in *standing order 98 (questions seeking information)*.

**notice** is a stated intention for a new item of business, such as a notice of motion to be moved or notice of intention to present a bill.

**order of the day** is a formal agenda item of business on a particular day, including a bill or other matter which the House has ordered to be considered on that day.

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\* Including Assistant Ministers who are Parliamentary Secretaries.

**Parliamentary Paper** means a document in the Parliamentary Papers Series.



**Parliamentary Secretary** see **Minister**.

**petition** is a formal request (in paper or electronic form) to the House to take action that is within its power to take. A petition for presentation to the House must comply with the standing orders. An **electronic petition (e-petition)** is a petition that persons may sign through the **House of Representatives e-petition website** (House website). A paper petition includes any petition that is not an electronic petition.

**petition terms** consist of the reasons for the petition and the request for action by the House.

**physical limits of the Chamber** means the area inside the Chamber walls, on the floor of the Chamber. It does not include the galleries on the upper floors. The expression is used in *standing order 56 (quorum)*. See figure 1.

**President of Australia** includes an Administrator of the Commonwealth.

**privilege** means the special rights and immunities belonging to the House, its committees and its members in accordance with section 49 of the Constitution, and as qualified by the *Parliamentary Privileges Act 1987*.

**present a document** means table a document. A document presented to the Federation Chamber is taken to have been presented to the House.

**prorogation** means the formal ending of a session of Parliament by the President of Australia.

**question**, in relation to a motion, means the matter before the House or Federation Chamber for decision. The question is proposed from the Chair to the house after a motion has been moved and, if necessary, seconded. During the debate the Speaker states the question to the House between speeches. At the end of the debate the Speaker puts the question by restating the question to the House and asking Members for and against the question to call 'Aye', 'No' or 'Abstain'.

**Question Time** means the period of time set aside at every sitting during which Members may ask questions of Ministers or other Members (*standing order 97*).

**quorum of the Federation Chamber** is one government Member, one non-government Member and the Chair.

**quorum of the House** is at least one-fifth of the whole number of Members present in the Chamber (currently 3 without Senators, and 5 with Senators).

**reading** of a bill, means the reading of the **title** of a bill.

**recess** means the period between sessions of a Parliament, or the period between the close of a session of prorogation and dissolution or expiry of the House.

**reply** is the closing speech of a debate in which the mover a motion sums up or responds to the debate.

**Senate bill** is a bill originating in the Senate.

**service of the House** means attendance in the Chamber. Used in *standing order 26 (leave of absence)* and *standing order 94(b) (Member suspended)*—but see also *standing order 94(e)*.

**session** means the period commencing on the first sitting day following a general election or a prorogation, and concluding by prorogation, dissolution or at the expiration of three months from the first meeting of the House.

**sitting** means the period commencing with the meeting of the house and concluding at the adjournment of the House. (A sitting may extend over more than one day, and if it is possible, although unusual, to have more than one sitting on a day.)

**Speaker** is defined in *standing order 3(d)*.

**substantive motion** means a self-contained proposal, drafted in a form capable of expressing a decision or opinion of the House.

**Supply Bills** appropriate money to fund government expenditure on an interim basis until Appropriation bills have passed (now rarely necessary).

**title** of a bill means the long title, which usually begins 'A Bill for an Act ...'.

**visitor** means a person other than a Member or a parliamentary official or an infant being cared for by a Member (*standing order 257(d)*).

**voices** means the oral votes of Members, 'Aye' or 'No', on a question from the Chair.

**witness** means a person who attends before the House or a committee to give evidence.

### 3 Application

(a) These standing orders are the rules of the House made under the power granted by section 50 of the Constitution. They are of continuing effect and apply until changed by the house in this or a subsequent Parliament.

(b) The standing orders apply in general to proceedings taking place inside the Chamber of the House. Some orders expressly provide for other parliamentary matters which take place outside the Chamber and the committees of the House, e.g. matters of privilege and petitions.

(c) The standing orders also apply to committee of the House to the necessary extent, subject:

- (i) in the Federation Chamber, to the orders in Chapter 14 (*standing orders 183-198*), and

- (ii) in standing and select committees, to the orders in Chapter 16 (*standing orders 214-247*).

(d) The Speaker is the principal officeholder of the House. References in the standing orders to the duties and actions for which the Speaker is responsible are to **Speaker**, notwithstanding the practice of relief arrangements under which the Deputy Speaker or a member of the Speaker's panel occupies the Speaker's Chair when the Speaker is not in the Chamber. Similarly, references to the duties and actions for which the Deputy Speaker is responsible in relation to the Federation Chamber are to the Deputy Speaker notwithstanding relief arrangements.

Some matters are reserved only for the Speaker, or an acting Speaker: role in the election of Deputy Speaker (*standing order 13*); selection of the matter of public importance (*standing order 46*); decisions on matters of privilege (*standing order 51-52*). The power to exercise a casting vote (*standing order 135*) is reserved for the Speaker, Acting Speaker or Deputy Speaker.

(e) The Speaker (or other Member presiding) is responsible for ruling whenever any question arises as to the interpretation or application of a standing order and for deciding cases not otherwise provided for. In all cases the Speaker shall have regard to previous rulings of Speakers of the house and to established practices of the House.

## Chapter 2. Proceedings when Parliament called together

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### **Chapter outline**

This chapter sets out procedure for the meeting of Parliament:

- after a general election of Members
  - for a new session of the same Parliament, and
  - including the President of Australia's speech and the address in reply.
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### **First meetings of new Parliament after general election**

#### **4 First meeting of new Parliament after general election**

When Parliament first meets after a general election, the procedure shall be as follows<sup>1</sup>:

- (a) Local Indigenous people shall be invited to conduct a ceremony of welcome prior to Members assembling in the House of Representatives.
- (b) Members shall assemble in the House of Representatives at the time appointed by the President of Australia in the Proclamation calling Parliament together in accordance with section 5 of the Constitution.
- (c) The Clerk shall read the Proclamation to Members, who shall wait for a message inviting them to attend the declaration of the opening of Parliament.
- (d) Members shall proceed to another place to hear the declaration and return to the house.
- (e) The Clerk shall present the returns to writs following the general election.
- (f) Each Member shall swear the oath or make the affirmation of allegiance in accordance with section 42 of the Constitution, both orally and in writing.
- (g) Members shall elect a Speaker under *standing order 11 (Election procedures)*.
- (h) The Prime Minister or another Minister shall inform the House the time when the President of Australia will receive the Members of the House and the Speaker.

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<sup>1</sup> A detailed program is issued for each occasion.

(i) Before any business of the House, the Speaker, leading other Members, shall present themselves to the President of Australia at the appointed time. The Speaker and the Members shall then return to the House. The Speaker shall resume the Chair and report to the House.

(j) Finally, a Minister shall inform the House the time when the President of Australia will state the reasons for calling the Parliament together. The house may then suspend its sitting until that time, when it shall again assemble and wait for a message from the President of Australia.

## **President of Australia's speech and reply**

### **5 House attends to hear President of Australia's speech**

(a) When the House receives the message from the President of Australia, Members of the House shall attend at the place appointed by the President of Australia to hear the speech stating the causes of the calling together of Parliament, in which the Government's program may be announced.

(b) After the speech, the Speaker and the Members shall return to the Chamber.

### **6 Opening speech reported—Address in Reply**

(a) Before the President of Australia's speech is reported some formal business shall be transacted and the Prime Minister may announce their ministry.

(b) The Speaker shall report the speech to the House.

(c) A committee shall be appointed to prepare an Address in Reply to the speech and to present it to the house.

(d) When the committee presents the proposed Address in Reply to the House a Member shall move—

***That the Address be agreed to.***

### **7 Presentation of Address**

(a) After the House has agreed to an Address in Reply, the Speaker shall present it to the President of Australia. Any Member may accompany the Speaker for the presentation.

(b) The Speaker shall then report to the House the President of Australia's reply to the Address.

## **First meeting for new session—continuing Parliament**

### **8 First meeting of new session following prorogation other than for a new Parliament**

On the first meeting of a second or subsequent session of Parliament, instead of the procedure set down in *standing order 4*, the procedure shall be as follows:

- (a) Members shall assemble in the House at the time appointed by the President of Australia in the Proclamation calling Parliament together.
- (b) The Clerk shall read the Proclamation to Members.
- (c) The Speaker shall make an acknowledgement of country.
- (d) Members shall wait for a message from the President of Australia stating the time when they will declare the causes for the calling together of Parliament.
- (e) Subsequent procedure shall follow *standing orders 5-7*.

## **When President of Australia does not attend**

### **9 When President of Australia does not attend**

If the President of Australia appoints a Deputy in accordance with section 126 of the Constitution to announce the causes for the calling together of Parliament, references to the President of Australia in this chapter shall be read as references to the Deputy.

# Chapter 3. Election of Speaker and Deputies

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## ***Chapter outline***

This chapter sets out procedures for the election of the Speaker and the Deputy Speaker.

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## **Election of Speaker**

### **10 When an election for Speaker takes place**

- (a) An election for Speaker shall take place at any time when the office of Speaker is vacant.
- (b) The election shall be conducted by the Parliament Administrator, in the manner provided below in *standing order 11*.
- (c) At the start of every new term, the office of Speaker is considered vacant for the purposes of this section.

### **11 Election procedures**

When electing a Member to fill a vacant office the routine shall be as follows:

#### ***Nominees proposed***

- (a) The Parliament Administrator shall invite nominations for the vacant office.
- (b) A Member of the House of Representatives may propose the nomination of another Member of the House to the vacant office by moving, without notice, that such a person 'do take the Chair of the House of Representatives as Speaker'. The motion must be seconded by at least one other Member of the House of Representatives, not including the member themselves. The mover and any seconders may speak in support of their nominated candidate.
- (c) The nominated Member shall inform the House whether they accept the nomination.
- (d) A Member who was at the closure of the previous term of Parliament, the Speaker of the House of Representatives may nominate themselves for the office of Speaker in the new term. The Member will not be required to satisfy the seconder requirements in section 11(b) and by virtue of their action is not required to satisfy section 11(c).
- (e) A person cannot be nominated for the position of Speaker of the House of Representatives if they are a Senator.

(f) After three day since the invitation of nominations under *standing order 11(a)* was conducted, no further nominations may be made.

### ***Ballot***

(g) Each Member of the House of Representatives voting shall fill in a form provided by the Parliament Administrator containing their username and their ranked preference for office of Speaker from the nominees, from one to the number of nominees with all numbers listed in between. By the virtue of a preferential vote, when each round of preference has its vote counting completed the nominee with the least votes shall be eliminated until one candidate has greater than 50% of the votes.

(h) If nominees have equal numbers of votes, making it impossible to calculate which name is to be excluded from later ballots, a special ballot shall take place. At a special ballot, the routine shall be as follows:

- (i) the Parliament Administrator shall inform AustraliaSim that the last ballot was inconclusive because nominees has equal number of votes;
- (ii) the names of those nominees who received equal numbers of votes shall be proposed;
- (iii) each Member shall write on a ballot the order of preference of the nominees in a tie; and
- (iv) in the event a tie occurs for a second time, the Parliament Administrator may choose to break the tie themselves, with the nominee that gains the most votes under single-transferable voting shall be elected Speaker.

## **12 Successful Member is Speaker**

(a) At the conclusion of an election for Speaker, the Parliament Administrator shall declare the successful candidate to have been elected Speaker.

(b) The Speaker shall then acknowledge the honour conferred by the House. Once the Speaker is seated, the Mace shall be taken from the Table, and placed on the Table.

(c) The Speaker may receive congratulations from the House.

## **Appointment of Deputy Speaker**

### **13 When Deputy Speaker appointed**

(a) The Deputy Speaker shall be appointed at the pleasure of the Speaker, with written notice to the AustraliaSim community.



- (b) The Deputy Speaker must be an active Member of Parliament.
- (c) The appointed Deputy Speaker may refuse an appointment under (a).
- (d) A Deputy Speaker is not necessary for the conduct of business.

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# Chapter 4. The Speaker and administration in the Chamber

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## **Chapter outline**

This chapter provides for:

- the Speaker and deputies
  - the Clerk and some clerical duties
  - Members' attendance in the Chamber, and
  - public record of proceedings.
- 

## **The Speaker and other offices**

### **15 Members elect Speaker**

Members shall elect a Speaker when a vacancy occurs in accordance with section 35 of the Constitution, using procedure set out in *standing order 11*.

### **16 Deputy Speaker**

- (a) In each Parliament, the House shall appoint Deputy Speakers, using the procedure set out in *standing order 13*.
- (b) The Deputy Speaker shall take the Chair of the House whenever asked to do so by the Speaker, and shall chair the Federation Chamber.

### **17 ★ ★ ★ ★**

### **18 House informed of absences**

- (a) If the Speaker is absent the Deputy Speaker shall be the Acting Speaker, if both the Speaker and the Deputy Speaker are absent, a Clerk shall be the Acting Speaker.
- (b) If the sitting of parliament is a joint sitting, if the Speaker is absent the Deputy Speaker shall be the Acting Speaker. If both the Speaker and the Deputy Speaker are absent, the President of the Senate shall be the Acting Speaker. If the Speaker, Deputy Speaker and the President of the Senate are absent, the Deputy President of the Senate shall be the Acting Speaker. If the Speaker, Deputy Speaker, President of the Senate and Deputy President of the Senate are absent, the Clerk shall be the Acting Speaker.

## **19 Vacancy in office of Speaker**

(a) If the office of Speaker falls vacant during a session the Clerk must report the vacancy to the House at its next sitting. The House shall proceed to the election of a new Speaker either immediately or at its next sitting, using the procedure set out in *standing order 11*.

(b) If the office of Speaker falls vacant during a recess the Clerk shall report the vacancy to the House at the opening of the next session when the House returns from hearing the President of Australia's speech, or from the declaration of the opening of the session, as the case may be. The House shall proceed to the election of a new Speaker immediately, using the procedure set out in *standing order 11*.

## **20 When Deputy Speaker may set time of meeting**

If the office of Speaker falls vacant during an adjournment of the House and the date and hour of the next meeting would otherwise be set by the Speaker, the Deputy Speaker shall set the date and hour of the next meeting.

# **The Clerk**

## **21 Absence of Clerk**

If the Clerk is absent, the Clerk's duties shall be performed by other members of the speakership.

## **22 Vacancy in office of Clerk**

During any vacancy in the office of Clerk all powers, functions, and duties of the Clerk shall be exercised and performed by the speakership.

# **Member's seats and attendance**

## **23 Seats for Ministers**

Seats in the front row of the Chamber, nearest to the right hand of the Speaker, shall be reserved for Ministers.

## **24 Seats for Members**

(a) A Member may keep the seat they occupied at the end of the previous Parliament, unless there is a change of government.

(b) The Speaker shall determine any dispute about the seats occupied by Members.

## **25 Members' roll**

The Clerk shall keep a Members' roll for each State and Territory showing the name of the Member elected for each electoral division and the date they:

- (a) are elected;
- (b) make the oath or affirmation; and
- (c) cease to be a Member, and the reason.

## **26 Leave of absence**

(a) A Member may be granted leave of absence from the House, on motion moved without notice, stating the reason for leave and the period of absence. The motion shall have priority over all other business.

(b) A Member with leave of absence is excused from the service of the House or on any committee. The leave is forfeited if the Member attends in the Chamber of the House before the end of the period of leave.

Meta Note: Leave of absence is moved and granted on the thread for changes post.

# **Public record of proceedings**

## **27 Votes and Proceedings**

The Clerk shall keep and sign the official record of the proceedings of the House, the Votes and Proceedings. This record shall contain the:

- (a) proceedings and decisions of the House;
- (b) proceedings and decisions of the Federation Chamber; and
- (c) attendance of Members in the House, including any leave.

## **28 Custody of records**

Under the direction of the Speaker, the Clerk shall have custody of the Votes and Proceedings, records, and all documents presented to the House.

# Chapter 5. Business Cycles of the House

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## ***Chapter outline***

This chapter sets out:

- business cycles of the House
  - rules about business cycles, and
  - rules about adjournment of the house in certain circumstances.
- 

## **Times of business cycles**

### **29 Set business cycle times**

(a) The House shall meet each year in accordance with the program of sittings for that year agreed to by the House, unless otherwise ordered and subject to *standing order 30*.

(b) When the House is sitting it shall cycle through business at the following times in a week, subject to *standing orders 30 and 31*:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>cycle</b>	<b>period of time</b>	<b>cycle commences</b>	<b>cycle ends</b>
1st cycle	72 hours	Tuesday, 7:00pm	Friday, 5:00pm
2nd cycle	72 hours	Friday, 7:00pm	Monday, 5:00pm
Adjournment	24 hours	Monday, 5:00pm	Tuesday, 7:00pm

### **30 Changes to business cycle times**

The Speaker or a Minister may initiate a change to the business cycle times of the House in the following circumstances:

- (a) At any time, a Minister may move without notice a motion to set the next business cycle of the House.
- (b) A Minister may move on notice a motion to set a future business cycle or business cycles of the House.
- (c) When the House is not sitting, the Speaker may set an alternative day or hour for the next business cycle, and must notify each Member of any change.

## Rules concerning business cycles

### 31 Ending a business cycle

- (a) At the time set for the end of a business cycle to end in *standing order 29, column 4 (set business cycle times)* the Speaker shall:
- (i) end any debate on matters before the house;
  - (ii) end any division on matters before the house;
  - (iii) cease the asking of any questions with notice to Ministers;
  - (iv) cease the opportunity for Members to make statements;
  - and
  - (v) cease the opportunity for Ministers to answer questions with notice;

dependent on the business that is proposed in the cycle.

- (b) A Member may, before the hour before the business cycle ends, seek permission from the Speaker or the Clerk to:

- (i) debate any business on matters before the house;
- (ii) ask any questions with notice to Ministers;
- (iii) make statements; or
- (iv) answer any questions with notice;

after the end of a business cycle. A Member that seeks permission shall provide a reasonable excuse for them to be granted the extension to the Clerk or Speaker.

## Adjournment in special circumstances

### 32 Adjournment of the House

- (a) Adjournment of the House must be declared if the House is holding Question Time under *standing order 97*.
- (b) A Minister may move adjournment of the House without notice, and no amendment may be moved to the motion.
- (c) The Speaker may adjourn the House without putting a question if:
- (i) there is no quorum of Members and there has been a count out, as provided in *standing order 57*; or
  - (ii) disorder arises, as provided in *standing order 95 (grave disorder)*; or
  - (iii) Question Time ends with a motion by the most senior Member of the government that states —  
***That all further questions be put on notice paper.***
- (d) The adjournment of the House has no effect on the duration of business cycles that are specified in *standing order 29*.

### 33 ★ ★ ★ ★

# Chapter 6. Business and proceedings of the House

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## **Chapter outline**

This chapter sets out the House's order of business and describes arrangements for

- general order of business
  - committee and delegation business
  - private Members' business
  - government business
  - discussion of matter of public importance
  - suspension of orders, and
  - censure of or no confidence motion in the Government.
- 

## **General**

### **34 Order of business**

The order of business to be followed by the House is shown by figure 2.

### **35 Priority of business**

Government business shall have priority over committee and delegation business and private Members' business except as provided by *standing orders 34 (order of business), 36A (limitations on business) and 192 (Federation Chamber's order of business)*.

### **36 Notice Paper**

Business before the House shall be published on the Notice Paper for each sitting, in accordance with standing and sessional orders.

### **36A Limitations on business**

In a business cycle, debate on business can only commence on three items of business. If there is a motion, it can be presented with two other pieces of government or private Members' business. If there is a matter of public importance, it can be presented with two other pieces of government or private Members' business. If there is a motion and a matter of public importance, it can be presented with one other piece of government or private Members' business.

**Figure 2. House order of business**

FIRST CYCLE		SECOND CYCLE	
	Acknowledgement of country		Acknowledgement of country
Tuesday 7.00 pm	<p>Start of Business Cycle. All items that are to be voted on or up to debate are presented.</p> <p><i>All Divisions and Debates for the first Business Cycle starts today.</i></p> <p><i>Questions with Notice and inquiry reports are presented to the House as well.</i></p>	Friday 7.00 pm	<p>Start of Business Cycle. All items that are to be voted on or up to debate are presented.</p> <p><i>All Divisions and Debates for the second Business Cycle starts today.</i></p> <p><i>Questions with Notice will not accept more questions, Members may make statements.</i></p>
Wednesday	Continuing of Business Cycle	Saturday	Continuing of Business Cycle
Thursday	Continuing of Business Cycle	Sunday	Continuing of Business Cycle
Friday 12.00 am	Continuing of Business Cycle	Sunday 6:00pm	Questions without Notice
Friday 4.00 pm	Last hour of Business Cycle Extensions requests must be made before then.	Sunday 6.30pm	Continuing of Business Cycle
Friday 5.00 pm	End of Business Cycle	Monday 12.00am	Continuing of Business Cycle
		Monday 4.00 pm	Last hour of Business Cycle Extensions requests must be made before then.
		Monday 5.00 pm	End of Business Cycle



### **37 Orders of the week**

- (a) The Notice Paper shall state the sequence in which orders of the week are called on.
- (b) An order may be postponed on motion moved without notice by the Member in charge of the order or, in their absence, by another Member they have asked.
- (c) After an order has been read, the Member in charge of the order may move, without notice, that the order be discharged.
- (d) If any orders of the week on the Notice Paper have not been called on before the end of the second business cycle, they shall be listed on the Notice Paper for the next sitting.

Meta Note: This action is presumed to be done automatically, and generally controlled by the speakership. Members have the right to ask speakership about business that is due within the next two cycles.

### **38 Acknowledgement of country**

On taking the Chair at the beginning of each sitting or business cycle, the Speaker shall make an acknowledgement of country in the following terms:

*I acknowledge the Ngunnawal and Ngambri peoples who are the traditional custodians of the Canberra area and pay respect to the elders, past and present, of all Australia's Indigenous peoples.*

## **Committee and delegation business**

### **39 Announcements concerning inquiries and presentation of reports**

- (a) The Chair and/or deputy Chair of a committee may make a statement to inform the House of matters relating to an inquiry during the periods for committee and delegation business on the first business cycle of a week (*standing order 34*). The Selection Committee shall recommend time limits for such statements.
- (b) Members may present reports of committees or delegations:
  - (i) as determined by the Selection Committee, during the periods for committee and delegation business on the first business cycle of a week in the House and Federation Chamber (*standing orders 34 and 192*); or
  - (ii) in the House at any time when other business is not before the House.
- (c) Members may make statements in relation to these reports:
  - (i) during the periods for committee and delegation business on the first business cycle of a week in the House and Federation Chamber (*standing orders 34 and 192*); or

- (ii) in the House during the time set out for Members' Statements in the second business cycle of a week; or
- (iii) in the House at any other time, by leave.
- (d) The Member presenting a report may move without notice, a specific motion in relation to the report. Debate on the question shall be adjourned to a future day and the resumption of the debate may be referred to the Federation Chamber.
- (e) Unless otherwise ordered, a committee report present in accordance with this standing order shall be made a Parliamentary Paper.

Meta Note: Recent precedent of AustraliaSim allows only inquiries in the Senate. A report of an inquiry in the Senate shall be presented to the House after a week of the commencement of the information consolidation and consideration stage. When it is concerning senate inquiries, replace 'Member' with 'Senator' in this standing order.

#### **40 Resumption of debate on reports**

- (a) After presentation of reports the first business cycle of a week proceedings may be resumed on motions in relation to committee and delegation reports moved on an earlier day.
- (b) For debate in accordance with paragraph (a) the Selection Committee shall determine the order in which motions are to be considered.
- (c) During the periods provided by *standing order 192* proceedings may be resumed in the Federation Chamber on motions in relation to committee and delegation reports referred that day or on an earlier day.

### **Private Members' business**

#### **41 Private Members' business**

- (a) In the periods set for committee and delegation business and the debating of business under *standing orders 34 and 192*, private Members' notices and orders of the day shall be considered in the order shown on the Notice Paper. When the time set by *standing orders 34 and 192* or determined by the Selection Committee ends, the Speaker shall interrupt proceedings and the matter shall be listed on the Notice Paper for the next sitting.

##### ***Private Member's bills—priority***

- (b) The Selection Committee, in making determinations:
  - (i) shall give priority to private Member's notices of intention to present bills over other notices and orders of the day; and
  - (ii) shall set the order in which the bills are to be presented.

##### ***First and second reading***

- (c) Subject to this standing order, the first and second reading shall

proceed in accordance with *standing orders 141 and 142*. The Selection Committee may determine times for consideration of the remainder of the second reading debate.

*Priority following second reading*

(d) If the motion for the second reading is agreed to by the House, further consideration of the bill shall be accorded priority over other private Members' business and the Selection Committee may determine times for consideration of the remaining stages.

*Alternation of notices*

(e) Subject to paragraph (b)(i), the Selection Committee shall provide for the consideration of private Members' notices to alternate between those of government and non-government Members.

*Participation of Speaker and Deputy Speaker*

(f) The Speaker and Deputy Speaker may participate in private Members' business.

## **42 Removal of business**

The Clerk shall remove from the Notice Paper items of private Members' business and orders of the day relating to committee and delegation reports which have not been called on for eight consecutive weeks.

## **43 Members' statements**

(a) In the House in the second business cycle of a week, the Speaker shall call on statements by Members. The period allowed for these statements may extend to the end of the business cycle.

(b) During these periods, when called on by the Chair, a Member but not a Minister (or Parliamentary Secretary\*), may make one statement.

(c) During these periods, when called on by the Chair, a Member who is a Minister (or Parliamentary Secretary\*), may make two statements.

## **Government business**

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\* Including Assistant Ministers who are Parliamentary Secretaries.

#### **45 Order of government business and programming declarations**

- (a) The Leader of the House may arrange the order of notices and orders of the day for government business on the Notice Paper as they think fit.
- (b) The Leader of the House or the Chief Government Whip may make a programming declaration in the House in relation to one or more items of government business.

### **Other business**

#### **46 Discussion of definite matter of public importance**

- (a) On any business cycle, a Member may propose a definite matter of public importance be put to the House for discussion.
- (b) The Member must give a written statement of the matter to be discussed to the Speaker by the beginning of the next cycle. If the Speaker decides that it is in order, the Speaker shall read the statement to the House at the time provided in *standing order 34 (order of business)*.
- (c) The proposed discussion must be supported by one Member. The Speaker shall select the matter to be read to the House that day.
- (d) If more than one matter is received for the same cycle, the Speaker shall select the matter to be read to the House that cycle.
- (e) At any time during the discussion, any Member may move—  
***That the business of the day be called on.***

This question shall be put immediately and decided without amendment or debate. If agreed to, the business of the cycle shall be proceeded with immediately.

- (f) A motion to adjourn the discussion or to move a closure of the question is not in order.

#### **47 Motions for suspensions of orders**

- (a) A Member may move, with or without notice, the suspension of any standing or other order of the House.
- (b) If a suspension motion is moved on notice, it shall appear on the Notice Paper and may be carried by a majority of votes.
- (c) If a suspension motion is moved without notice it:
  - (i) must be relevant to any business under discussion and seconded; and
  - (ii) can be carried only by an absolute majority of Members.
- (d) Any suspension of orders shall be limited to the particular purpose of the suspension.

#### **48 Censure of or no confidence in the Government**

A motion on notice or an amendment of a motion which expresses censure of or no confidence in the Government shall have priority of all other business until it is disposed of by the House, if it is accepted by a Minister as a motion or amendment of censure or no confidence.

#### **49 Motion of condolence or thanks**

As a courtesy, the House will ordinarily grant precedence to a motion moved without notice for a motion of condolence or thanks of the House.

#### **50 Motion of Minister to discuss special matter**

(a) At any time when other business is not before the House a Minister may state to the House a proposal to discuss a matter of special interest in preference to moving a specific motion.

(b) The Minister may first move a motion specifying the time to be allotted to the debate. The Minister must then move—

***That [stating subject matter] be considered by the House.***

(c) At the end of the time allotted to the debate, a Minister may withdraw the motion, without leave.

# Chapter 7. Privilege

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## **Chapter outline**

This chapter sets out rules governing matters of privilege.

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### **51 Privilege matter raised when House is sitting**

- (a) At any time during a sitting, a Member may raise a matter of privilege. The Member shall be prepared to move, without notice, immediately or subsequently, a motion, declaring that a contempt or breach of privilege has been committed, or referring the matter to the Clerk.
- (b) The Speaker may:
  - (i) give the matter precedence and invite the Member to move a motion as stated in paragraph (a); or
  - (ii) reserve the matter for further consideration.
- (c) If the matter is given precedence, consideration and decision of every other question shall be suspended until the matter of privilege is disposed of, or debate on any related motion is adjourned.
- (d) The Speaker may grant precedence to a privilege motion over other business if satisfied that:
  - (i) a *prima facie* case of contempt or breach of privilege has been made out; and
  - (ii) the matter has been raised at the earliest opportunity.

### **52 Privilege matter raised when House not sitting**

- (a) When the House is not sitting and is not expected to meet for at least two weeks, a Member may raise with the Speaker a matter of privilege which has arisen since the House last met and which the Member proposes be referred to the Clerk.
- (b) The Speaker must refer the matter to the Clerk immediately, if satisfied that:
  - (i) a *prima facie* case of contempt or breach of privilege has been made out; and
  - (ii) the matter requires urgent action.
- (c) The Speaker must report the referral to the House at its next sitting. Immediately after the Speaker's report, the Member must move that the referral be endorsed by the House. If the motion is not agreed to, the Clerk shall take no further action on the matter.

### **53 Complaint against publication**

If a Member cites a statement in a published document, in connection with a contempt or breach of privilege, they must present to the House

an extract of the publication containing the statement and be able to identify the author, printer or publisher.

## Chapter 8. Debate, order and disorder

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### ***Chapter outline***

This chapter sets out general rules to establish orderly debate and behaviour in the Chamber and in the Federation Chamber.

The matters covered include:

- quorum of the House
  - order in the Chamber
  - leave of the House
  - manner and right of speech
  - references to other matters
  - matters not open to debate
  - adjournment of debate
  - closure of debate
  - debate of urgent matters
  - point of order and Speaker's ruling, and
  - disorder.
- 

## **Quorum of the House**

### **54 Bells at start of meeting of the House**

At each sitting or business cycle, the bells shall be run for five minutes before the appointed meeting time, calling Members to the meeting. The Speaker shall take the Chair and, if a quorum of 3 Members if only the House is sitting or in a business cycle and 5 Members if the Senate is also sitting is present, commence the meeting as provided by *standing order 38 (acknowledgement of country)*. If a quorum is not present *standing order 57 (count out)* shall apply.

### **55 Lack of quorum**

(a) When the attention of the Speaker is drawn to the state of the House and the Speaker observes that a quorum is not present, the Speaker shall count the Members present in accordance with *standing order 56*.

(b) If a quorum is in fact present when a Member draws attention to the state of the House, the Speaker may name the Member in accordance with *standing order 94(b) (sanctions against disorderly conduct)*.



## **56 Procedures for counting Members present**

When the Speaker is counting the Members present:

- (a) the bells shall be rung for four minutes;
- (b) the doors of the Chamber shall remain unlocked;
- (c) every Member within the physical limits of the Chamber, including the Speaker, shall be counted; and
- (d) no Member may leave the Chamber while the bells are ringing, or until a quorum is present.

## **57 Count out**

If a quorum is not present at the conclusion of the ringing of the bells, the Speaker may:

- (a) adjourn the House to the next sitting; or
- (b) if satisfied there is likely to be a quorum within a reasonable time, state the time at which they will resume the Chair. If at that time a quorum is not present, the Speaker shall adjourn the House to the next sitting.

## **58 No quorum at division**

If a quorum of Members has not voted in a division, the House has not made a decision on the question, and *standing order 57 (count out)* shall apply.

## **59 Resumption of interrupted proceedings after count out**

Proceedings that are adjourned by a count out may be resumed at a later sitting, on motion moved on notice, at the point where they were interrupted.

# **Order**

## **60 Order kept by Speaker or Chair**

- (a) The Speaker, or the occupier of the Chair of the House at the time, shall keep order in the House.
- (b) The Deputy Speaker, or the occupier of the Chair of the Federation Chamber at the time, shall keep order in the Federation Chamber. The House may address disorder in the Federation Chamber after receiving a report from the Deputy Speaker.

### **61 Members to recognise authority of the Speaker**

- (a) If the Speaker stands during a debate, any Member then speaking or seeking the call shall sit down and the House shall be silent, so the Speaker may be heard without interruption.
- (b) When the Speaker is putting a question no Member may walk out of or across the Chamber.

### **62 Members moving in the Chamber**

A Member in the Chamber must:

- (a) take their seat promptly;
- (b) bow to the Speaker on entering or leaving the Chamber;
- (c) not remain in the aisles; and
- (d) not pass between the Speaker and any Member who is speaking.

## **Leave of the House or Federation Chamber**

### **63 Leave**

The House or Federation Chamber may grant leave to a Member to act in a manner not expressly provided for in, or contrary to, orders of the House. Leave may be granted only if no Member present objects.

### **63A Ministerial statements**

When the House has granted a Minister leave to make a ministerial statement, the House shall be deemed to have granted leave for the Leader of the Opposition, or Member representing, to speak in response to the statement for an equal amount of time.

## **Manner and right of speech**

### **64 No Member to be referred to by name**

In the House and the Federation Chamber, a Member shall not be referred to by name, but by one of the following forms, as appropriate:

- (a) the Members' ministerial office (e.g. Prime Minister, Minister for Defence, Attorney-General);
- (b) the Member's parliamentary office (e.g. Leader of the House, Leader of the Opposition, Chief Government Whip);
- (c) the Member's electoral division (e.g. Member for Mayo).

### **65 Members wishing to speak**

- (a) A Member wishing to speak shall rise and, when recognised by the Speaker, address the Speaker. If a Member is unable to rise, they will be permitted to speak while seated.

(b) When a Member is speaking, no Member may converse aloud or make any noise or disturbance to interrupt the Member.

(c) If two or more Members rise to speak, the Speaker shall call on the Member, who in the Speaker's opinion, rose first. If the Speaker's selection is challenged, a motion may be moved—

***That [Member who was not called] be heard now.***

The question must be put immediately and resolved without amendment or debate.

## **66 When interruption of Member allowed**

A Member may only interrupt another Member to:

- (a) call attention to a point of order;
- (b) call attention to a matter or privilege suddenly arising;
- (c) call attention to the lack of a quorum;
- (d) call attention to the unwanted presence of visitors;
- (e) move—

***That the Member be no longer heard;***

- (f) move—

***That the question be now put;***

- (g) move—

***That the business of the day be called on;*** or

- (h) make an intervention as provided in the standing orders.

## **66A Interventions**

During consideration of any order of the day a Member may rise and, if given the call, ask the Speaker whether the Member speaking is willing to give way. The Member speaking will either indicate their:

- (a) refusal and continue speaking, or
- (b) acceptance and allow the other Member to ask a short question or make a brief response immediately relevant to the Member's speech, for a period not exceeding 30 seconds—

Provided that, if, in the opinion of the Speaker, it is an abuse of the orders or forms of the House, the intervention may be denied or curtailed.

## **67 Question is stated**

At any time, except when another Member is addressing the House, a Member may request the Speaker to state the question or matter under discussion. This requirement shall not apply when the terms of the question or matter have been circulated among Members.

## **68 Personal explanation**

A Member may explain how they have been misrepresented or explain another matter of a personal nature whether or not there is a question before the House. The following conditions shall apply:

- (a) the Member must rise and seek permission from the Speaker;
- (b) the Member must not interrupt another Member addressing the House; and
- (c) the matter must not be debated.

If a Member has given a personal explanation to correct a misrepresentation and another Member subsequently repeats the matter complained of, the Speaker may intervene.

## **69 Member may speak further in limited circumstances**

A Member may not speak a second or further time to a question except:

- (a) during consideration in detail of a bill;
- (b) during consideration of amendments to a bill made or requested by the Senate;
- (c) having moved a substantive motion or the second or third reading of a bill, the Member shall be allowed a reply confined to matters raised during the debate;
- (d) during the adjournment debate, if no other Member rises; or
- (e) to explain some material part of their speech which has been misquoted or misunderstood. In making this explanation the Member may not interrupt another Member addressing the House, debate the matter, or introduce any new matter.

## **70 Seconder may speak immediately or later**

A Member seconding a motion or amendment may speak immediately, or inform the House that they reserve the right to speak later during the debate.

## **71 Reply closes debate**

When the Member who moved the original motion replies, the debate shall close except during consideration in detail of a bill or consideration of amendments to a bill made or requested by the Senate.

## **72 Member not to speak after question put**

A Member must not speak to a question after it has been put and decided.

## References to other matters

### 73 References to other debates or proceedings

Unless the reference is relevant to the discussion, a Member must not refer to debates or proceedings of the current session of the House.

### 74 Reflections on votes of House

A Member must not reflect adversely on a vote of the House, except on a motion that it be rescinded.

### 75 Irrelevance or tedious repetition

(a) The Speaker, after having called attention to the conduct of a Member who has persisted in irrelevance or tedious repetition, either of their own arguments or of the arguments used by other Members in debate, may direct the Member to discontinue their speech.

(b) The Member may then ask the Speaker to put the question—

***That the Member be further heard.***

The question must be put immediately and resolved without amendment or debate.

### 76 Exceptions to confining debate to the question

A Member must speak only on the subject matter of a question under discussion. There are three exceptions:

(a) on the question for the adjournment of the House to end the sitting, or for the adjournment of the Federation Chamber;

(b) on the debate of the address in reply to the President of Australia's speech;

(c) on the motion for the second reading of the Main Appropriation Bill, and Appropriation or Supply Bills for the ordinary annual services of government, when public affairs may be debated.

### 77 Anticipating discussion

During a debate, a Member may not anticipate the discussion of a subject listed on the Notice Paper and expected to be debated on the same or next sitting day. In determining whether a discussion is out of order the Speaker should not prevent incidental reference to a subject.

## Matters not open to debate

### 78 Matters not open to debate

The following questions and motions are not open to debate, must be moved without comment and must be put immediately and resolved without amendment:

- (a) motion that the business of the day be called on (*standing order 46(e)*);
- (b) motion that a Member be heard now (*standing order 65*);
- (c) motion that a Member be further heard (*standing order 75*);
- (d) motion that debate be adjourned (*standing order 79*);
- (e) motion that a Member be no longer heard (*standing order 80*);
- (f) motion that the question be now put (*standing order 81*);
- (g) question that the bill or motion be considered urgent, following a declaration of urgency (*standing order 82 to 83*);
- (h) motion that a Member be suspended (*standing order 94*).

Should any of these questions be negatived, no similar proposal shall be received if the Speaker is of the opinion that it is an abuse of the orders or forms of the House, or is moved for the purpose of obstructing business.

## Adjournment of debate

### 79 Adjournment of debate

(a) Only a Member who has not spoken to the question or who has the right of reply may move the adjournment of a debate. Unless a Member requests that separate questions be put, the time for the resumption of the debate may be included in the adjournment question. The question must be put immediately and resolved without amendment or debate.

(b) If the question is resolved in the affirmative, the Member who moved the adjournment may speak first on the resumption.

(c) If the question is resolved in the negative, the Member who moved the adjournment may speak at a later time during the debate.

## Closure of debate

### 80 Closure of a Member speaking

If a Member is speaking, other than when giving a notice of motion or moving the terms of a motion, another Member may move—

***That the Member be no longer heard.***

The question must be put immediately and resolved without amendment or debate.

### 81 Closure of question

After a question has been proposed from the Chair, a Member may move without notice, and whether or not any other Member is speaking—

***That the question be now put.***

The question must be put immediately and resolved without amendment or debate.

## Debate of urgent matters

### 82 Urgent bill

(a) A Minister may declare a bill to be urgent at any time.

(b) When a bill is declared urgent, the question—

***That the bill be considered urgent—***

must be put immediately and resolved without amendment or debate.

(c) The order of the consideration in detail stage may allocate times to particular clauses or parts of the bill.

(d) The urgent bill shall take priority over all other government and private member's business.

### 83 Urgent motion

(a) Once a motion has been moved, a Minister may declare the motion to be urgent.

(b) When a bill is declared urgent, the question—

***That the motion be considered urgent—***

must be put immediately and resolved without amendment or debate.

(c) The urgent motion shall take priority over all other government motions or private member's motions.

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## **Point of order and Speaker's ruling**

### **86 Point of order**

(a) Subject to *standing order 104*, a Member may raise a point of order with the Speaker at any time. After the question of order has been stated to the Speaker by the Member rising to the question of order, consideration and decision of every other question shall be suspended until the matter is disposed of by the Speaker giving a ruling thereon.

(b) A Member interrupted by a point of order must resume their seat.

(c) During a division, Members may speak while seated to a point of order arising out of or during the division.

### **87 Dissent from ruling of Speaker**

If a Member dissents from a ruling of the Speaker, the objection or dissent must be declared at once. A Member moving a motion for dissent must submit the motion in writing. If the motion is seconded, the Speaker shall then propose the question to the House, and debate may proceed immediately.

## **Disorder**

### **88 Use of certain names**

A Member must not refer disrespectfully to the President of Australia or a State Governor, in debate or for the purpose of influencing the House in its deliberations.

### **89 Offensive words**

A Member must not use offensive words against:

- (a) either House or the Parliament or a Member of the Parliament;
- (b) a member of the Judiciary.

### **90 Reflections on Members**

All imputations on improper motives to a Member and all personal reflections on other Members shall be considered highly disorderly.

### **91 Disorderly conduct**

A Member's conduct shall be considered disorderly if the Member has:

- (a) persistently and wilfully obstructed the House;
- (b) used objectionable words, which they have refused to withdraw;
- (c) persistently and wilfully refused to conform to a standing order;
- (d) wilfully disobeyed an order of the House;



- (e) persistently and wilfully disregarded the authority of the Speaker; or
- (f) been considered by the Speaker to have behaved in a disorderly manner.

## **92 Intervention by Speaker**

- (a) The Speaker can intervene:
  - (i) to prevent any personal quarrel between Members during proceedings; and
  - (ii) when a Member's conduct is considered offensive or disorderly.
- (b) When the Speaker's attention is drawn to the conduct of a Member, the Speaker shall determine whether or not it is offensive or disorderly.

## **93 Member ordered to attend House**

A Member who wilfully disobeys an order of the house may be ordered to attend the House to answer for their conduct. A motion to this effect can be moved without notice.

## **94 Sanctions against disorderly conduct**

The Speaker can take action against disorderly conduct by a Member:

### ***Direction to leave the Chamber***

- (a) The Speaker can direct a disorderly Member to leave the Chamber for one hour. The direction shall not be open to debate or dissent, and if the Member does not leave the Chamber immediately, the Speaker name the Member under the following procedure.

### ***Member named and suspended***

- (b) The Speaker can name a disorderly Member. Immediately following a naming, on a motion being moved, the Speaker shall put the question—

***That the Member be suspended from the service of the House.***

The question must be resolved without amendment, adjournment or debate.

### ***Urgent action***

- (c) If the Speaker determines there is an urgent need to protect the dignity of the House, the Speaker can order a grossly disorderly Member to leave the Chamber immediately. When the Member has left, the Speaker must immediately name the Member and paragraph (b) shall apply; except that the Speaker shall put the question for suspension without a motion being necessary. If the question is resolved in the negative, the Member may return to the Chamber.

### *Term of suspension*

- (d) If a Member is named and suspended, the term of suspension shall be:
- (i) on the first occasion, for the period of the first business cycle from the time of suspension;
  - (ii) on the second occasion during the same session, for the period of the first two business cycles from the time of suspension; and
  - (iii) on a third or later occasion during the same session, for the first three business cycles from the time of suspension.

A suspension in a previous session or a direction to leave the Chamber for one hour shall be disregarded in the calculation of these terms.

### *Exclusion from Chamber and Federation Chamber*

- (e) A Member who is subject to a direction to leave the Chamber for one hour, or a suspension for one cycle or more, shall be excluded from the Chamber, its galleries and the room in which the Federation Chamber is meeting.

### *Removal of Member*

- (f) If a Member refuses to follow the Speaker's direction, the Speaker may order the Serjeant-at-Arms to remove the Member from the Chamber or the Federation Chamber or take the Member into custody.

## **95 If grave disorder, House suspended or adjourned**

In the event of grave disorder occurring in the House, the Speaker, without any question being put, can:

- (a) suspend the sitting and state the time at which they will resume the Chair; or
- (b) adjourn the House to the next sitting.

## **96 Serjeant-at-Arms to remove persons**

- (a) If a visitor or person other than a Member disturbs the operation of the Chamber or the Federation Chamber, the Serjeant-at-Arms can remove the person or take the person into custody.
- (b) If a visitor or other person is taken into custody by the Serjeant-at-Arms, the Speaker must report this to the House without delay.

## Chapter 9. Questions seeking information

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### ***Chapter outline***

This chapter provides for Members to ask questions:

- orally and without notice during Question Time, and
  - placed on the Notice Paper.
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### **Oral and written questions**

#### **97 Question Time**

- (a) Question Time, or Questions without notice, may begin at any time where the following requirements are met:
- (i) The Speaker, Senate President, Clerk or otherwise appropriate personnel are willing and available to take the chair; and
  - (ii) There is a willing quorum of members of the Parliament who wish to proceed with Questions without notice; and
  - (iii) That day is not a public holiday, mothers day or fathers day; and
  - (iv) The House is in session.
- (b) Should Questions without notice proceed, the following rules will be in place for the session:
- (i) Motions of censure, confidence or no confidence may not be raised except those made under Standing Order 94, and when these are passed under Standing Order 94, they are only to apply to Questions without notice; and
  - (ii) Both Members of the House and the Senate may join and participate in the session; and
  - (iii) Other business before the Houses may continue to run concurrently.
- (c) Questions without notice shall be performed either in person, remotely via a medium with security or access rights management in place such as to the discretion of the Speaker.
- (d) Should a matter require the Chair to leave the session prematurely, they may choose to nominate another willing person to take the Chair for the remainder of the session.
- (e) To close a session of Questions without notice, the most senior member of the Government present may rise to speak and ask the Speaker (or whoever has taken the Chair) that further questions be placed on the notice paper. Should a member of the Government not be present then the Speaker may at a time of their choosing rise to address

the house that further questions be placed on the notice paper.

(f) At the end of Questions without notice, members will have 30 minutes from the close to submit questions to be placed on the notice paper.

## **98 Questions to Ministers**

(a) A Member may ask a question in writing of a Minister, to be placed on the Notice Paper for written reply.

(b) During Question Time, a Member may orally ask a question of a Minister, without notice and for immediate response.

(c) A Minister can only be questioned on the following matters, for which they are responsible or officially connected:

- (i) public affairs;
- (ii) administration; or
- (iii) proceedings pending in the House.

(d) Questioners must not ask Ministers:

- (i) for an expression of opinion, including a legal opinion; or
- (ii) to announce government policy, but may seek an explanation about the policy and its application, and may ask the Prime Minister whether a Minister's statement in the House represents government policy.

(e) A question may be asked of a Parliamentarian who is not a Minister during Questions without notice. Questions asked in this manner may not be placed on the notice paper, and must either be relevant to their electorate or:

- (i) one of the members' previously public areas of interest; or
- (ii) related to private members submitted or seconded by the member; or
- (iii) a current event where the member is happy to answer the question; or
- (iv) a response to a motion involving the member.

## **99 Questions to other Members**

During Question Time, a Member may ask a question orally of another Member who is not a Minister. Questions must relate to a bill, motion, or other business of the House or of a committee, for which the Member asked is responsible.

## **100 Rules for questions**

The following general rules apply to all questions:

- (a) Questions must not be debated.
- (b) A question fully answered must not be asked again.
- (c) For questions regarding persons:

- (i) questions must not reflect on or be critical of the character or conduct of a Member, a Senator, the President of Australia, a State Governor, or a member of the judiciary: their conduct may only be challenged on a substantive motion; and
  - (ii) questions critical of the character or conduct of other persons must be in writing.
- (d) Questions must not contain:
  - (i) statements of facts or names of persons, unless they can be authenticated and are strictly necessary to make the question intelligible;
  - (ii) arguments;
  - (iii) inferences;
  - (iv) imputations;
  - (v) insults;
  - (vi) ironical expressions;
  - (vii) hypothetical matter; or
  - (viii) breaches of Australian law.
- (e) Questions must not refer to debates in the current session, or to proceedings of a committee not reported to the House.
- (f) The duration of each question asked by a government Member or an opposition Member is limited to one minute. The duration of each question asked by a non-aligned Member is limited to two minutes.

### **101 Speaker's discretion about questions**

The Speaker may:

- (a) direct a Member to change the language of a question asked during Question Time if the language is inappropriate or does not otherwise conform with the standing orders; and
- (b) change the language of a question in writing if the language is inappropriate or does not otherwise conform with the standing orders.

### **102 Lodging questions in writing**

- (a) A Member lodging a question for the Notice Paper must deliver it by a comment on the relevant Questions with Notice business.
- (b) Questions for the next Notice Paper shall be lodged by the cut off time determined by the Speaker, otherwise they will be included in the Notice Paper for the following sitting.

### **103 Questions to Speaker**

At the conclusion of Question Time, Members may ask questions orally of the Speaker about any matter of administration for which they are responsible.

## **Replies to questions**

### **104 Answers**

- (a) A Member lodging a question for the Notice Paper must deliver it by a comment on the relevant Questions with Notice business.
- (b) Questions for the next Notice Paper shall be lodged by the cut off time determined by the Speaker, otherwise they will be included in the Notice Paper for the following sitting.

### **105 Replies to written questions**

- (a) A Minister's written reply to a question must be in response to the original comment on the relevant Questions with Notice business.
- (b) If a reply has not been received by a cut off time determined by the Speaker, the Member who asked the question may, at the conclusion of Question Time, ask the Speaker to write to the Minister concerned, seeking reasons for the delay in answering.

# Chapter 10. Motions

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## **Chapter outline**

This chapter deals with:

- notices of motion
  - motions
  - questions on motions, and
  - amendments.
- 

## **Notices of motion**

### **106 Giving notice**

- (a) A Member giving a notice of motion must deliver it by the legislation submission form.
- (b) A notice of motion which expresses censure or no confidence in the Government, or a censure of any Member, must be reported to the House by the Clerk at the first convenient opportunity.

### **107 Notice from outside Parliament**

- (a) Those who are not members of the Parliament may give notice for the submission of a motion. This shall be limited to those referred to in Section (b) of Standing Order 107.
- (b) Notice of a motion may be delivered by a non-Parliamentary submission form by the following:
- (i) Executive Board Members; or
  - (ii) Events Team Leader.
- (c) Motions delivered under this section may be withdrawn by the submitter at any stage prior to final passage. In doing so, they are to be marked as withdrawn on the order paper.

### **108 Order of notices**

The Clerk shall enter notices on the Notice Paper in the order in which they are received, and before orders of the cycle. *Standing orders 41 (private Member's business), 42 (removal of business), 45 (order of government business), 113 (motion not moved) and 222 (Selection Committee)* also apply to the order of notices. A notice of motion becomes effective only when it appears on the Notice Paper.

### **109 Speaker amends notice**

If a notice:

- (a) contains inappropriate language or does not conform with the standing orders, the Speaker must amend the notice; or
- (b) contains matters which are not relevant to each other, the Speaker may divide the notice.

### **110 Member may change notice**

A Member who has given a notice of motion may:

- (a) change the terms of the notice by notifying the Clerk in writing in time for the change to be published on the Notice Paper before the motion is called on;
- (b) change the day proposed for moving the motion to a later cycle by notifying the Clerk in writing before the motion is called on; or
- (c) withdraw the notice by notifying the Clerk in writing before the motion is called on.

## **Proceeding with motions**

### **111 When a motion may be moved**

A Member must not move a motion unless:

- (a) they have given a notice of motion and the notice has appeared on the Notice Paper; or
- (b) they have leave of the House; or
- (c) as otherwise specified in the standing orders.

### **112 Order of motions**

The order in which motions are called on is in the order in which they appear on the Notice Paper. A Member who gave notice of a motion may move its postponement without notice.

### **113 Motion not moved when called on**

A motion not moved when called on shall be removed from the Notice Paper except if the Member who gave notice, or another Member at their request, sets a future time for moving the motion.

### **114 Same motion**

- (a) A motion which has been withdrawn by leave of the House, or removed from the Notice Paper before being decided, may be moved again during the same session.



(b) Subject to *standing order 150(e)*, the Speaker may disallow any motion or amendment which they consider is the same in substance as any question already resolved in the same session.

**115 ★ ★ ★ ★**

### **116 Seconding of motions**

(a) Unless otherwise provided, a motion must be seconded. A motion which is not seconded when required must not be debated, and shall not be recorded in the Votes and Proceedings.

(b) A motion moved by a Minister does not require a seconder.

## **Questions on motions**

### **117 Question proposed and put by the Speaker**

(a) After a motion has been moved and seconded, the Speaker shall propose the question to the House.

(b) After the question on the motion has been proposed from the Chair, the motion is in the possession of the House, and cannot be withdrawn without leave.

(c) At the conclusion of debate, the Speaker shall put the question to the House for decision.

### **118 Question put following amendments**

(a) If amendments to a question have been made, the main question shall be put as amended.

(b) When amendments have been moved but not made, the question shall be put as originally proposed.

### **119 Question always divided**

Questions shall always be divided.

### **120 Resolution or vote rescinded**

A resolution or other vote of the house may be rescinded during the same session. If the purpose of the rescission is to correct irregularities or mistakes the corrections may be made at once by leave of the House or when one cycle's notice has been given. In all other cases rescission may only be made on two cycles' notice.

## **Amendments**

### **121 Form of amendments and seconding**

- (a) Once the Speaker has proposed a question on a motion to the House, the question may be amended by:
  - (i) omitting certain words; and / or
  - (ii) inserting or adding words.
- (b) An amendment must be in writing and be signed by the mover.
- (c) The amendment must be relevant to the question it proposes to amend.
- (d) A proposed amendment may be withdrawn by leave.

### **122 Question put on proposed amendments**

The Speaker shall put the question on a proposed amendment—

***That the amendment be agreed to.***

### **123 Restrictions on amendments to be moved**

- (a) A proposed amendment must not be inconsistent with a previous decision on the question.
- (b) An amendment may not be moved to an earlier part of the question:
  - (i) after a later part has been amended, or
  - (ii) after an amendment to a later part has been proposed and the proposal has not, by leave, been withdrawn.
- (c) Each proposed amendment shall be disposed of before another amendment to the original question can be moved.

### **124 Amendments to proposed amendments**

Amendments may be moved to a proposed amendment as if the proposed amendment were an original question (*see standing order 121*).

# Chapter 11. Voting

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## ***Chapter outline***

This chapter provides for voting by Members on:

- the voices
  - divisions, and
  - ballots.
- 

## **On the voices**

### **125 Question determined by a majority of voices**

(a) The Speaker shall put the question by stating its terms to the House and asking Members in favour of the question to say 'Aye' and those against 'No', and the question shall be resolved by the majority of Members calling either 'Aye' or 'No'. The Speaker shall then state whether the 'Ayes' or the 'Noes' have it. If the Speaker's opinion is challenged by more than one Member, the question must be decided by division of the House.

(b) Voting by the voices will not occur for Questions regarding the progress of bills or motions, and shall proceed to a division.

## **Divisions**

### **126 When division may be taken**

- (a) A division of the House may take place:
- (i) for Questions regarding the progress of bills or motions;  
or
  - (ii) when more than one Member challenges the Speaker's opinion about whether a question was resolved for the 'Ayes' or the 'Noes' and calls for a division.
- (b) If only one Member calls for a division, that Member may tell the Speaker they wish their dissent to be recorded, and the dissent must be recorded in the Votes and Proceedings and in Hansard.

### **127 One Member on a side**

If, after the doors are locked, there is only one Member on one side in a division, the Speaker shall declare the decision of the House immediately, without completing the count. The names of the Members who are in the minority shall be recorded in the Votes and Proceedings.

## **128 Members calling for division**

Members calling for a division must not leave the area of Members' seats and they must vote with those members who, in the Speaker's opinion, were in the minority when the Members called 'Aye' or 'No'.

## **129 Procedures for a division**

- (a) If the House is to divide, the Clerk must ring the division bells for four minutes and the doors must remain open (*see standing order 131* in relation to successive divisions). A Member may leave the area of Members' seats unless they called for the division.
- (b) After four minutes have elapsed the doors shall be locked and no Member may enter or leave the Chamber until after the division.
- (c) Upon the doors being locked, the Speaker shall:
  - (i) state the question to the House; and
  - (ii) direct the Members voting 'Aye' to move to the right side of the Chair, and the Members voting 'No' to move to the left.
- (d) No Member may move from their place from the commencement of the count until the result of that division is announced.
- (e) This standing order is subject to *standing order 129A*.

## **129A Procedures for a division: progress of bill or motion**

- (a) If the House is to divide on a matter regarding the progress of a bill or motion, the Members must be sufficiently notified, and the business must remain open for a business cycle. A Member may abstain on a vote.
- (b) After a business cycle has elapsed the business shall be locked and no votes shall be retracted.

## **130 Procedures for counting and reporting the vote**

- (a) The Speaker shall:
  - (i) record the name of each Member voting;
  - (ii) count the total number of Members voting; and
  - (iii) sign their records.
- (b) The Speaker shall then declare the result of the division to the House.

## **131 Successive divisions**

- (a) If there is a successive division, Members who wish to vote in the same way as in the previous division must remain seated until the result of the division is announced. The Speaker may record each Member's vote as being the same as it was in the previous division unless a Member reports to them. A Member must report to the Speaker

if they:

- (i) wish to vote differently to their vote in the previous division; or
  - (ii) voted in the previous division and does not wish to vote in the current division; or
  - (iii) did not vote in the previous division and wishes to vote in the current division.
- (b) The vote shall be counted as in *standing order 130* if:
- (i) in the Speaker's opinion most Members wish to vote differently to their votes in the previous division; or
  - (ii) any confusion or error occurs in the count by the tellers.

### **132 New division in case of confusion, error or misadventure**

(a) If confusion, or error concerning the numbers reported by the Speaker, occurs and cannot be corrected, the House shall divide again.

(b) If a division has miscarried through misadventure caused by a Member being accidentally absent or some similar incident, and Member may move on the same sitting day, without notice and without the need for a seconder—

***That the House divide again.***

If this motion is agreed to the question shall be put again and the result of the subsequent division shall be the decision of the House.

### **133 Vote of the Speaker in case of a tie**

If there is a tie in the vote in any division, the Speaker shall cast a ballot to vote in favour of further debate, or, where it has been decided to have no further debate, to vote in favour of the status quo. The Speaker shall thus vote:

- (a) against the final reading of a bill or motion;
- (b) in favour of other readings of a bill;
- (c) against amendments to bills or motions;
- (d) against motions of no confidence;
- (e) in favour of disagreeing with amendments made by the Senate.

### **134 Member with pecuniary interest not to vote**

(a) A Member may not vote in a division on a question about a matter, other than public policy, in which they have a particular direct pecuniary interest.

(b) The vote of a Member may be challenged on the grounds of the pecuniary interest by means of a substantive motion moved immediately after a division is completed. If the motion is carried, the Member's vote shall be disallowed.

### **135 Recording of division**

- (a) The Clerk shall record lists of divisions in the Votes and Proceedings.
- (b) If a Member complains to the House that a division has been wrongly recorded, the Speaker may direct the record to be corrected.
- (c) Any reasons given by the Speaker for exercising a casting vote in accordance with section 40 of the Constitution, must be entered in the Votes and Proceedings.

## **Ballots**

### **136 Ballot taken after bells rung**

- (a) A ballot to elect a Member to a position or to perform a function may be taken whenever the House thinks fit.
- (b) Before the House proceeds to a ballot, the Members must be sufficiently notified.

### **137 Manner of taking ballot**

Unless otherwise provided, a ballot shall be taken in the following manner:

- (a) Each Member present shall vote by giving the Clerk a list of Members they think should be chosen at the ballot. If the list does not contain the exact number of names to be chosen, the vote is invalid and shall be rejected.
- (b) When all the lists are collected, the Clerk shall count the votes and report the names of the Members having the most votes to the Speaker. These Members shall be declared chosen.
- (c) If nominees with the most votes receive equal votes, their names shall be put to a further ballot.

# Chapter 12. Bills

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## ***Chapter outline***

This chapter sets out the stages bills go through:

- House bills
  - Senate amendments to House bills
  - bills the Senate may not amend
  - Senate bills and House amendments
  - bills altering the Constitution
  - lapsed bills, and
  - President of Australia's consideration of bills.
- 

## **House bills**

### **138 Initiation of bills**

A House bill may be initiated:

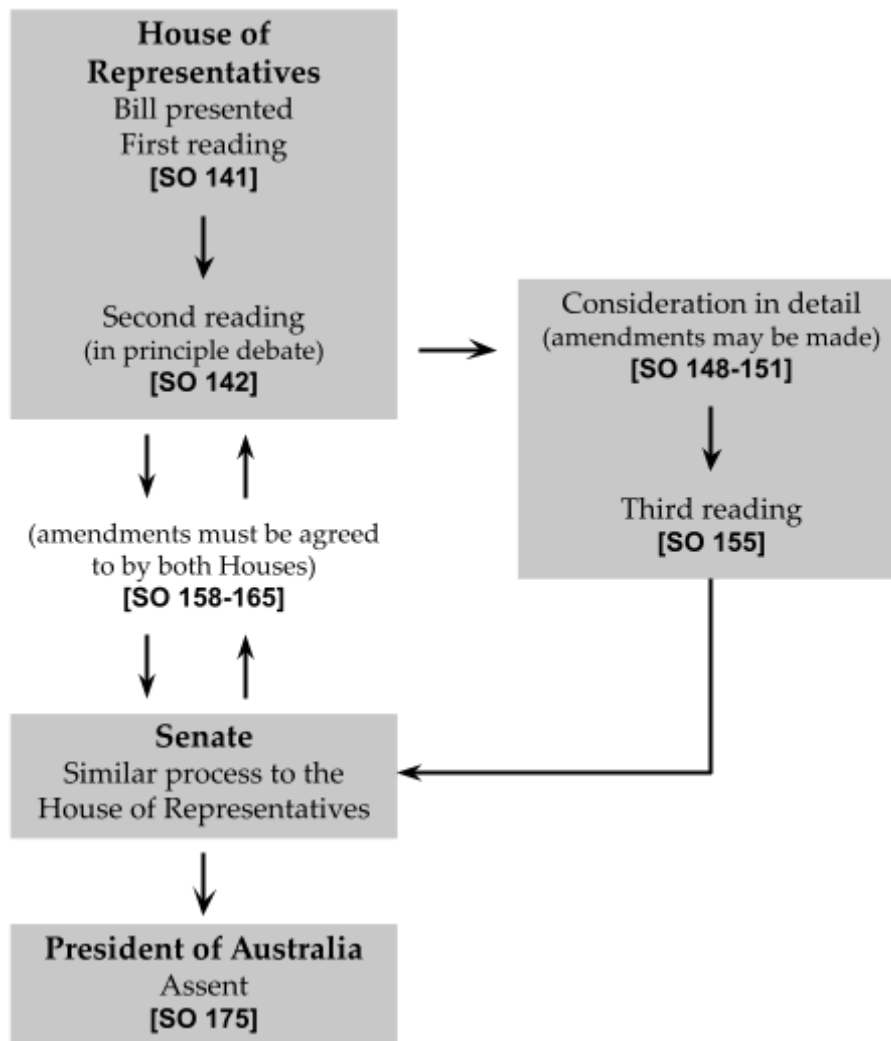
- (a) by the calling on of a notice of intention to present a bill;
- (b) by an order of the House; or
- (c) without notice by a Minister under *standing order 178* (*Appropriation Bill or bill dealing with taxation*).

A bill not prepared according to the standing orders of the House shall be ordered to be withdrawn.

### **139 Notice of intention to present bill**

- (a) A Member giving a notice of intention to present a bill must deliver the notice in writing to the Clerk.
- (b) The notice must:
  - (i) specify the short title of the bill, the author of the bill, and whether the bill is government or private members business;
  - (ii) be signed by the Member; and
  - (iii) in the case of private members business, be signed by at least one other Member.
- (c) A notice of intention to present a bill shall be treated as if it were a notice of motion.

**Figure 3.** Stages a House bill goes through





#### **140 Signed copy of bill presented**

- (a) A Member presenting a bill must sign a legible copy of the bill and give it to the Clerk.
- (b) The title of a bill must agree with the notice of intention to present it, and every clause must come within the title.

### **First reading**

#### **141 First reading and explanatory memorandum**

- (a) When a bill is presented, or a Senate bill is first received, the bill shall be read a first time without a question being put.
- (b) For any bill presented, the Member must present a signed explanatory memorandum. The explanatory memorandum must include an explanation of the reasons for the bill.

### **Second reading**

#### **142 Second reading**

The Member presenting the bill may move immediately after the first reading—

***That this bill be now read a second time.***

Debate shall then proceed on the question.

**143 ★ ★ ★ ★**

**144 ★ ★ ★ ★**

**145 ★ ★ ★ ★**

**146 ★ ★ ★ ★**

#### **147 Message recommending appropriation**

Immediately after the second reading of a bill, other than Appropriation or Supply Bill where *standing order 180(b)* applies, the Speaker shall announce any message from the President of Australia in accordance with section 56 of the Constitution recommending an appropriate in connection with the bill.

## Consideration in detail

### 148 Consideration in detail

The House may consider the bill in detail immediately following the second reading or after the Speaker has announced a message from the President of Australia under *standing order 147*.

A bill shall be considered in detail if a Member during the second reading debate:

- (a) proposes that the bill do be considered in detail; and
- (b) briefly states the amendment that they wish to apply during consideration in detail.

### 149 ★ ★ ★ ★

### 150 Amendments to bills during consideration in detail

- (a) An amendment may be moved to any part of a bill, if the amendment is within the title or relevant to the subject matter of the bill and conforms to the standing orders.
- (b) Debate shall be relevant to the amendments before the House.
- (c) If a clauses or schedules are amended, the Speaker shall propose the question—

***That the amendments be agreed to.***

Consideration of this question shall be made in the business cycle following the consideration in detail.

- (d) Amendments may be voted on by Members:
  - (i) individually; or
  - (ii) collectively in regards to amendments proposed by a Member.

Meta Example: If the Member for Mayo and the Member for Pearce have both proposed amendments, members may collectively vote in favour the amendments by the Member for Mayo, and against the amendments by the Member for Pearce.

### 151 ★ ★ ★ ★

## Report from Federation Chamber

### 152 ★ ★ ★ ★

### 153 ★ ★ ★ ★

## Reconsideration

154 ★ ★ ★ ★

### Third reading and passing the House

#### 155 Question for third reading

(a) When a bill has been considered in detail, and amendments proposed have been voted on, the House must grant leave for the motion for the third reading to be moved immediately.

The question shall be proposed on the motion—

***That this bill be now read a third time.***

(b) After the third reading the bill has passed the House and no further question may be put.

#### 155A Passage on second reading

If the consideration in detail of a bill has not been proposed under *standing order 148*, and the second reading has been agreed to, the bill has passed the House and no further question may be put.

#### 156 Corrections to a bill

The Clerk may correct clerical or typographical errors in a bill.

#### 157 Bill certified and sent to Senate

(a) When the House passes a House bill, the Clerk shall certify that the bill originated in the house, the date on which is passed, and any accompanying schedules.

Meta Note: This is done through a 'Notice of Pass' post.

(b) After the bill is certified, it shall be sent to the Senate with a message asking the Senate to agree to the bill.

#### 158 Bill returned by Senate with amendments

(a) If a House bill is returned from the Senate with amendments, the amendments shall be made available to Members and a vote set for the House to consider them.

(b) The House may:

- (i) agree to any Senate amendment;
- (ii) disagree to any Senate amendments;
- (iii) order the bill to be laid aside.

Meta Note: The House shall conduct a 'Concurrence of Amendments' vote for this.

159 ★ ★ ★ ★

160 ★ ★ ★ ★

### **161 Messages**

- (a) If the House agrees to Senate amendments to a House bill and concurs, the House shall inform the Senate by message.
- (b) If the House disagrees with Senate amendments to a House bill, the House shall send a message returning the bill to the Senate, with a schedule listing amendments disagreed to.

162 ★ ★ ★ ★

### **163 Final agreement sent by message**

If the House has agreed to the requirements of the Senate in the bill, the house shall inform the Senate by message.

### **164 Clerk to certify House bill**

At every stage, when the House concludes its consideration of Senate amendments to a House bill, the Clerk shall certify the bill and any accompanying schedules.

Meta Note: The 'Notice of Pass' is sufficient for this.

## **Bills the Senate may not amend**

### **165 Senate requests**

The Senate may return to the House a bill which the Senate may not amend, and by message, request the omission or amendment of any items or provisions. The House must consider the requests in the most immediate business cycle. When they are considered:

- (a) The House may agree to the requested amendments, with or without its own amendment. The Clerk shall then incorporate the amendments in the bill.
- (b) The bill shall be returned to the Senate with a message, stating how the House has dealt with the requests and asking the Senate to agree to the bill. [Section 53 of the Constitution]

## **Senate bills**

### **166 Procedures for Senate bill**

A Senate bill coming to the House for the first time shall proceed, to the necessary extent, as if it were a House bill.

### **167 Clerk to certify when Senate bill agreed to**

When the House passes a Senate bill:

- (a) The Clerk shall certify that the bill has been agreed to by the house, without amendment or with amendments shown in any accompanying schedules, and the house shall return the bill to the Senate by message.
- (b) If the House amends the bill, the schedule of amendments shall refer to the clause, page, and line of the bill as amended.

### **168 ★ ★ ★ ★**

### **169 Senate disagreement with House amendments**

If the Senate disagrees to House amendments to a Senate bill, the House may order the bill to be laid aside.

### **170 ★ ★ ★ ★**

### **171 Clerk to certify Senate bill**

At every stage, when the House concludes its consideration of a Senate bill returned from the Senate after amendment by the House, the Clerk shall certify the bill and any accompanying schedules.

Meta Note: The 'Notice of Pass' is sufficient for this.

### **172 ★ ★ ★ ★**

## **Bills altering the Constitution**

### **173 Absolute majority required**

If, in accordance with section 128 of the Constitution, an absolute majority of the house does not agree to the second or third reading of a bill which proposes an alteration of the Constitution, the bill shall be laid aside immediately and may not be revived during the same session of Parliament.

## **Lapsed bills**

### **174 Restoration after prorogation**

- (a) A bill shall lapse if Parliament is prorogued before the bill has reached its final stage.
- (b) Proceedings on the bill may be resumed in the next session, at the stage reached in the preceding session, if the House in which the bill originated agrees to the resumption of proceedings. The House in possession of the bill may resolve to restore it to the Notice Paper. When a bill is in the possession of the House in which it did not originate, that House may not resolve to restore the bill unless it has received a message from the originating House asking for consideration of the bill to be resumed.
- (c) A bill restored to the Notice Paper shall proceed as if it has not been interrupted by prorogation.
- (d) If the House in which the bill originated does not ask for the resumption of proceedings, the bill may be re-introduced.

## **President of Australia's consideration of bills**

### **175 House bills presented to President of Australia**

When a House bill has finally passed both Houses, the Clerk shall certify this and the Speaker shall present the bill to the President of Australia for their assent in accordance with section 58 of the Constitution.

### **176 President of Australia's proposed amendments to House bills**

- (a) If the President of Australia returns a bill recommending amendment in accordance with section 58 of the Constitution, the House shall deal with the amendment in the same manner as Senate amendments.
- (b) The House may agree to an amendment proposed by the President of Australia. The House shall send any amendment to the Senate for its agreement.
- (c) If the Senate makes an amendment, the House shall deal with it in the manner provided for Senate amendments to House bills in *standing orders 158 to 164*.
- (d) If the President of Australia's recommendations have been agreed to by both Houses, any amendments shall be incorporated, the Clerk shall certify the bill, and the Speaker shall present it to the President of Australia.

(e) If the House disagrees to the President of Australia's proposed amendment, or if the two Houses cannot agree on the proposed amendment, the Speaker shall again present the bill in the form as before presented to the President of Australia for assent.

**177 President of Australia's proposed amendment of Senate bills**

If the Senate has agreed to amendments recommended by the President of Australia in accordance with section 58 of the Constitution to a Senate bill, the House shall deal with the amendment in the manner provided in *standing orders 166 to 172*.

# Chapter 13. Financial proposals

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## ***Chapter outline***

This chapter sets out:

- special measures for appropriation and taxation proposals, and
  - procedures for President of Australia's message recommending appropriation.
- 

## **Proposals for appropriation and taxation**

### **178 Notice not required for certain bills or proposals**

A Minister may present without notice an Appropriation or Supply Bill or a bill or proposal dealing with taxation.

### **179 Taxation proposals initiated by Minister**

- (a) Only a Minister may initiate a proposal to impose, increase, or decrease a tax or duty, or change the scope of any charge.
- (b) Only a Minister may move an amendment to the proposal which increases or extends the scope of the charge proposed beyond the total already existing under any Act of Parliament.
- (c) A Member who is not a Minister may move an amendment to the proposal which does not increase or extend the scope of the charge proposed beyond the total already existing under any Act of Parliament.

## **Messages recommending appropriation**

### **180 Appropriations recommended by President of Australia**

- (a) All proposals for the appropriation of revenue or moneys require a message to the House from the President of Australia recommending the purpose of the appropriation in accordance with section 56 of the Constitution.
- (b) For an Appropriation or Supply Bill, the message must be announced before the bill is introduced.
- (c) For other bills appropriating revenue or moneys, a Minister may introduce the bill and the bill may be proceeded with before the message is announced and *standing order 147 (message recommending appropriation)* applies.



(d) A further message must be received before any amendment can be moved which would increase, or extend the objects and purposes or alter the destination of, a recommended appropriation.

### **181 Message for Senate amendments and requests**

Any message from the President of Australia recommending an appropriation in relation to a Senate amendment or request for amendment to a House bill, must be announced before the House proceeds to consider the amendment or request.

### **182 President of Australia's messages announced**

The Speaker or Deputy Speaker shall announce all messages from the Governor-General in the House or the Federation Chamber, as appropriate, but not during a debate or so as to interrupt a Member speaking.

# Chapter 15. Documents and Petitions

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## ***Chapter outline***

This chapter provides for material to be presented to the House:

- documents, and
  - petitions.
- 

## **Documents**

### **199 Documents presented**

- (a) Documents may be presented to the House by Ministers or by the Speaker pursuant to statute or otherwise.
- (b) Documents may be presented to the House at any time when other business is not before the House, or they may be delivered to the Clerk who shall record them in the Votes and Proceedings. Documents delivered to the Clerk shall be deemed to have been presented to the House on the day on which they are recorded in the Votes and Proceedings.

### **200 Documents ordered**

The House may order documents to be presented. The Clerk shall refer all orders for documents to the relevant Minister, and when the documents are received they shall be presented to the House.

### **201 Documents quoted shall be presented**

If a Minister quotes from a document relating to public affairs, a Member may ask for it to be presented to the House. The document must be presented unless the Minister states that it is of a confidential nature.

### **202 Motions to take note**

- (a) When a document is presented to the House, a Minister may move without notice either or both of the following motions—

***That the House take note of the document.***

***That the document be made a Parliamentary Paper.***

- (b) Alternatively, at the conclusion of the period for presentation of documents, under *standing order 34 (order of business)*, a single motion may be moved that the House take note of certain documents presented.

(c) A motion referred to in paragraph (a) not moved when the document is presented, may be moved by a Member on notice later.

### **203 Documents authorised for publication**

All documents presented to the House are authorised for publication.

## **Preparing a petition**

### **204 Rules for the form and content of petitions**

- (a) A petition must:
  - (i) be addressed to the House of Representatives;
  - (ii) refer to a matter on which the House has the power to act;
  - (iii) state the reasons for petitioning the House; and
  - (iv) contain a request for action by the House.
- (b) The terms of the petition must not contain any alterations and must not exceed 250 words. The terms must be placed at the top of the first page of the petition and the request of the petition must be at the top of every other page.
- (c) The terms of the petition must not be illegal or promote illegal acts. The language used must be moderate.
- (d) An e-petition must be in English. A paper petition must be in English or be accompanied by a translation certified to be correct. The person certifying the translation must place their name on the translation.
- (e) No letters, affidavits or other documents should be attached to the petition. Any such attachments will be removed before presentation to the House.
- (f) A petition must not include any Universal Resource Locators (URLs) or reference to specific web links.
- (g) A petition from a corporation must be made under its common seal. Otherwise it will be received as the petition of the individuals who signed it.

### **205 ★ ★ ★ ★**

## **Presentation of petitions**

### **206 Submitting a petition for presentation**

- (a) Petitions may be submitted electronically through the House website.

(b) The Speaker must check that each petition submitted for presentation complies with the standing orders, and if the petition complies it shall be approved for presentation to the House.

### **207 Presenting a petition**

A Member may present a petition during any business cycle, and shall count in a similar way as a Matter of Public Importance.

## **Action on petitions**

### **208 Action by the House**

(a) Discussion on the subject matter of a petition shall only be allowed at the time of presentation as provided for under *standing order* 207.

(b) Each petition presented shall be received by the House, unless a motion that it not be received is moved immediately and agreed to.

(c) The terms of petitions shall be printed in Hansard.

### **209 Petition may be referred to a Minister for response**

(a) After a petition is presented to the House, the Speaker may refer a copy of the petition to the Minister responsible for the administration of the matter raised in the petition.

(b) The Minister shall be expected to respond to a referred petition within 7 days of presentation by lodging a written response to the Speaker.

(c) The Speaker shall announce any ministerial responses to petitions. After the announcement, ministerial responses shall be printed in Hansard and published on the House's website.

210 ★ ★ ★ ★

211 ★ ★ ★ ★

212 ★ ★ ★ ★

213 ★ ★ ★ ★

# Chapter 18. Communication between the House and the Senate

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## ***Chapter outline***

This chapter provides for communication between the House and the Senate.

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## **General**

### **258 Modes of communication**

The House may communicate with the Senate by message or by conference in accordance with *standing orders* 262—266.

## **Messages**

### **259 Messages to the Senate**

Every message from the House to the Senate shall be signed by the Speaker or the Deputy Speaker and delivered by the Serjeant-at-Arms.

Meta Note: The Notices of Pass and other similar posts are sufficient for this.

### **260 Motion to communicate resolution to the Senate**

A Member may move, without notice, that a resolution of the house be communicated by message to the Senate.

### **261 Messages from the Senate**

When the House is sitting, every message from the Senate shall be received by the Clerk at the Table. When the House is not sitting, the Clerk shall receive any messages from the Senate. The Speaker shall report each message at the earliest convenient time and, if required, the house shall set a time for its consideration.

# Chapter 19. Address to the President of Australia

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## ***Chapter outline***

This chapter sets out the procedures for making addresses to the President of Australia.

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### **267 Action by the House**

- (a) A Minister may move an address to the President of Australia after notice, except in cases of urgency.
- (b) A minister may move without notice an address of congratulation or condolence to members of the family of the President of Australia.

### **268 ★ ★ ★ ★**

### **269 Presentation of addresses to President of Australia**

- (a) Unless the house otherwise orders, the Speaker shall present any addresses to the President of Australia.
- (b) When the House orders that an address be presented by the whole House, the Speaker and the House together, shall attend at the place appointed by the President of Australia. The Speaker shall read the address to the President of Australia, while the Members who moved and seconded the address take their place at the Speaker's left hand.

### **270 President of Australia's reply**

The Speaker shall report to the house the President of Australia's reply to an address presented by the whole House.

# Chapter 20. Participation and Ejection

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## ***Chapter outline***

This chapter sets out the expectations of Members to make active contributions to the House, and the mechanisms by which the Parliament Administrator may eject Members.

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### **271 Examples of contributions to the House**

A Member can contribute to the House by:

- (a) legislation bills, motions and matters of public importance;
- (b) debating on bills, motions and matters of public importance;
- (c) asking and answering questions on questions with or without notice;
- (d) voting on legislation; and
- (e) proposing amendments to legislation.

### **272 Reviewing contributions of Members**

- (a) The Parliament Administrator and the Speakership shall undertake, every two weeks, an internal review of contributions by Members.
- (b) If there is agreement in the Speakership that a Member has displayed insufficient contribution to the House, and there is insufficient reason for this lack of contribution offered by the Member in question, the Parliament Administrator must eject the Member from the House [section 38 of the Constitution].
- (c) When there is a decision to eject a Member, the Parliament Administrator must provide the evidence that led to the decision to eject for the scrutiny of AustraliaSim.
- (d) Members that are due to be ejected may appeal to the Parliament Administrator and Speakership by providing sufficient reason for their lack of contribution to the House.

