**NEW SOUTH WALES** 

### **PARLIAMENTARY DEBATES**

(HANSARD)

(THIRD SERIES)

### **SESSION 2003-2006**

FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT

51° ELIZABETH II–54° ELIZABETH II

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SITTINGS FROM 29 APRIL 2003 to 11 May 2006

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### Legislative Council and Legislative Assembly

AUTHORISED BY THE PARLIAMENT OF NEW SOUTH WALES

ISSN No. 0155-6290

### **NEW SOUTH WALES**

### **PARLIAMENTARY DEBATES**

### (HANSARD)

### FIRST SESSION OF THE FIFTY-THIRD PARLIAMENT

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*Explanation of Abbreviations: ad. rep.*, Adoption of Report; *Com.*, Committee; *cons. amdts*, Consideration of Amendments; *cons. mes.*, Consideration of Message; *dec. urg.*, Declaration of Urgency; *int.*, Introduction; *instr. to Com.*, Instruction to Committee; *leg. com.*, Legislation Committee; *mes.*, Message; 1R, 2R, 3R, First, Second, Third Reading; *recons. amdts*, Reconsideration of Amendments; *recom.*, Recommittal; *rest.*, Restoration; *ret.*, Bill Returned; *sso*, Motion for Suspension of Standing or Sessional Orders.

ABORIGINAL LAND RIGHTS AMENDMENT (GANDANGARA ESTATE) BILL: Assembly: sso 10891, int. 10891, 1R 10891, 2R 10891, 3R 10894, ret. 11195, assent 11537 Council: 1R 10917, sso 10917, 2R 11095, 3R 11099, assent 11493 ADMINISTRATIVE DECISIONS TRIBUNAL AMENDMENT BILL: Assembly: int., 10627, 1R 10627, 2R 10627, 11678, 3R 11680, ret. 11985, assent 12373 Council: 1R 11607, sso 11607, 2R 11879, 3R 11882, assent 12307 AGRICULTURAL LIVESTOCK (DISEASE CONTROL FUNDING) AMENDMENT BILL: Assembly: int. 9848, 1R 9848, 2R 9848, 3R 9851, ret. 10176, assent 10498 Council: 1R 9760, sso 9760, sso 9825, 2R 10083, 3R 10089, assent 10441 AIR TRANSPORT AMENDMENT BILL: Assembly: sso 20699, int. 20726, 1R 20726, 2R 20726, 2r 21654, 3r 21658 Council: 1R 21592, sso 21592, 2R 23064, Com. 23070, 3r 23071 ANIMAL DISEASES LEGISLATION AMENDMENT (CIVIL LIABILITY) BILL: Assembly: int. 6230, 1R 6230, 2R 6230, 2R 6570, 3R 6573, ret. 6873, assent 7623 Council: 1R 6510, sso 6510, 2R 6809, 3R 6811, assent 7547 ANTI-DISCRIMINATION AMENDMENT (EQUALITY IN EDUCATION AND EMPLOYMENT) BILL: Council: int. 18556, 1R 18556, 2R 18556, 2R 18965, 2r 19453, 2r 20652, 2r 20780, 2r 22200, 2r 22217, 2r 22326, 2r 22343, 2r 23023 ANTI-DISCRIMINATION AMENDMENT (MISCELLANEOUS PROVISIONS) BILL: Assembly: sso 11034, int. 11039, 1R 11039, 2R 11039, 2R 11347, 3R 11354, ret. 11581, assent 12284 Council: 1R 11384, sso 11384, 2R 11500, 3R 11509, assent 12225

ANTI-DISCRIMINATION AMENDMENT (RELIGIOUS TOLERANCE) BILL: *Council: int.* 17827, 1r 17827, 2r 17827, 2r 18157, 2r 18400, 2r 18965, 2r 19452, 2r 20649, 2r 20776
APPROPRIATION BILL (COGNATE): (2003)

Assembly: int 1939, 1R 1939, 2R 1939, 2R 1952, 2R 2283, 3R 2290, assent 2942, ret. 2942 Council: 1R 2206, dec. urg.2206, 2R 2809, 3R 2812, assent 2911

APPROPRIATION BILL (COGNATE): (2004) Assembly: int. 9787, 1R 9787, 2R 9787, 2R 9800, sso 9969, 2R 9969, sso 10033, 2R 10035, 3R 10035, assent 10498, ret. 10498

*Council:* 1R 10061, *sso* 10061, 2R 10389, *Com.* 10402, 3R 10404, *assent* 10441

APPROPRIATION BILL (COGNATE): (2005)
Assembly: sso 15779, int. 15965, 1R 15965, 2R 15965, sso 16138, 2R 16270, sso 16643, 2R 16643, 3R 16650, mes. 16944, assent 17074
Council: 1R 16558, sso 16559, 2R 16818, Com. 16823, 3R 16826, assent 16975

APPROPRIATION (BUDGET VARIATIONS) BILL: (2003)
Assembly: int. 113, 1R 113, 2R 113, 2R 304, 3R 316, ret. 717, assent 1497
Council: sso 327, 1R 327, 2R 623, 3R 634, assent 1434

APPROPRIATION (BUDGET VARIATIONS) BILL: (2004)
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Council: 1R 8799, sso 8799, 2R 9004, 3R 9009, assent 9111
APPROPRIATION (BUDGET VARIATIONS) BILL: (2005)
Assembly: asso 15608, int. 15608, 1D 15608, 2D

Assembly: sso 15608, int. 15608, 1R 15608, 2R 15608, sso 15766, 2R 15768, 3R 15772, ret. 16177, assent 16427

Council: sso 15667, 1R 15667, 2R 16078, 3R 16081, assent 16355

- APPROPRIATION (BUDGET VARIATIONS) BILL: (2006)
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- APPROPRIATION (HEALTH SUPER-GROWTH FUND) BILL:
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- Council: 1R 4900 sso 4900, 2R 5090, 3R 5099, assent 5501
- APPROPRIATION (PARLIAMENT) BILL (COGNATE): (2003)
- Assembly: int. 1939, 1R 1939, 2R 1939, 2R 1952, 2R 2283, 3R 2290, assent 2942, ret. 2942
- *Council*: 1R 2206, *dec. urg*.2206, 2R 2809, 3R 2812, *assent* 2911
- APPROPRIATION (PARLIAMENT) BILL (COGNATE): (2004)
  - Assembly: int. 9787, 1R 9787, 2R 9787, 2R 9800, sso 9969, 2R 9969, sso 10033, 2R 10035, 3R 10035, assent 10498, ret. 10498
  - *Council:* 1R 10061, *sso* 10061, 2R 10389, *Com.* 10402, 3R 10404, *assent* 10441
- APPROPRIATION (PARLIAMENT) BILL (COGNATE): (2005)
- Assembly: sso 15779, int. 15965, 1R 15965, 2R 15965, sso 16138, 2R 16270, sso 16643, 2R 16643, 3R 16650, mes. 16944, assent 17074
- *Council:* 1R 16558, *sso* 16559, 2R 16818, *Com.* 16823, 3R 16826, *assent* 16975
- APPROPRIATION (SPECIAL OFFICES) BILL (COGNATE): (2003)
- Assembly: int. 1939, 1R 1939, 2R 1939, 2R 1952, 2R 2283, 3R 2290, assent 2942, ret. 2942
- *Council*: 1R 2206, *dec. urg.* 2206, 2R 2809, 3R 2812, *assent* 2911
- APPROPRIATION (SPECIAL OFFICES) BILL (COGNATE): (2004)
- Assembly: int. 9787, 1R 9787, 2R 9787, 2R 9800, sso 9969, 2R 9969, sso 10033, 2R 10035, 3R 10035, assent 10498, ret. 10498
- *Council:* 1R 10061, *sso* 10061, 2R 10389, *Com.* 10402, 3R 10404, *assent* 10441

Appropriation (Special Offices) Bill (Cognate): (2005)

- Assembly: sso 15779, int. 15965, 1R 15965, 2R 15965, sso 16138, 2R 16270, sso 16643, 2R 16643, 3R 16650, mes. 16944, assent 17074
- *Council:* 1R 16558, *sso* 16559, 2R 16818, *Com.* 16823, 3R 16826, *assent* 16975

- ARCHITECTS BILL:
- Assembly: int. 935, 1R 935, 2R 935, 2R 1209, 3R 1213, ret. 4710, cons. amdts 5730, ad. rep. 5732, mes. 5732, assent 6155
- *Council:* sso, 1218, 1R 1218, 2R 3309, *Com.* 4572, 3R 4577, *mes.* 5645, *assent* 6369
- AUSTRALIAN CRIME COMMISSION (NEW SOUTH WALES) BILL:
- Assembly: int. 928, 1R 928, 2R 928, 2R 1714, 3R 1721, ret. 1969, assent 2438
- Council: 1R, 1830, sso 1830, 2R 1866, 3R 1870, assent 2377
- BAIL AMENDMENT BILL:
  - Assembly: int. 1544, 1R 1544, 2R 1544, 2R 1651, 2R 1677, 2R 1695, Com. 1700, 3R 1707, ret. 2007, cons. amdts 2626, ad. rep. 2627, mes. 2627, assent 2942
  - Council: 1R, 1830, sso 1830, 2R 1887, Com. 1897, 3R 1899, mes. 2528, assent 2911
- BAIL AMENDMENT (FIREARMS AND PROPERTY OFFENCES) BILL: Assembly: int. 161, 1R 161, 2R 161, 2R 524, 2R
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- BAIL AMENDMENT (TERRORISM) BILL:
  Assembly: sso 9599, int. 9599, 1R 9599, 2R 9599, 3R 9602, ret. 9652, assent 9811
  Council: sso 9502, 1R 9502, 2R 9534, 3R 9546, assent 9679
- BANK HOLIDAYS LEGISLATION AMENDMENT BILL: Assembly: assent 25 Council: assent 5, mes. 6
- BOTANY BAY NATIONAL PARK (HELICOPTER BASE RELOCATION) BILL: Assembly: int. 7418, 1R 7418, 2R 7418, 2R 7843, 3R 7849, assent 9177 Council: sso 7781, 1R 7781, 2R 8151, 2R 8173, 3R 8178, assent 9111
- BRIGALOW AND NANDEWAR COMMUNITY CONSERVATION AREA BILL:
  Assembly: int. 16326, 1R 16326, 2R 16326, 2R 16515, 2R 16659, 2R 16880, 3R 16902, mes. 17461, sso 17526, cons. amdts 17526, ad. rep. 17536, mes. 17536, assent 17593
  Council: 1R 16763, sso 16763, 2R 17024, 2R 17242, 2R 17253, Com. 17263, ad. rep. 17280, 3R 17280, assent 17539, mes. 17540
- BUILDING AND CONSTRUCTION INDUSTRY SECURITY OF PAYMENT AMENDMENT BILL: Assembly: assent 25 Council: assent 5, mes. 6

BUILDING LEGISLATION AMENDMENT (QUALITY OF **CONSTRUCTION) BILL:** Assembly: assent 25 Council: assent 6, mes. 6 **BUILDING LEGISLATION AMENDMENT (SMOKE** ALARMS) BILL: Assembly: sso 17089, int. 17105, 1R 17105, 2R 17105, 3R 17110, mes. 17485, assent 17593 Council: sso 17067, 1R 17067, 2R 17374, 3R 17378, assent 17539 **BUILDING PROFESSIONALS BILL:** Assembly: int. 16190, 1R 16190, 2R 16190, 2R 16481, Com. 16489, 3R 16491, ret. 19707, cons. amdts 20518, ad. rep. 20518, mes. 20518, assent 20634 Council: sso 16419, 1R 16419, 2R 19604, Com. 19617, 3R 19618, mes. 20427, assent 20581 CALLAN PARK (SPECIAL PROVISIONS) BILL: Assembly: assent 25 Council: assent 6, mes. 6 CANCER INSTITUTE (NSW) BILL: Assembly: sso 1589, int. 1616, 1R 1616, 2R 1616, 2R 1725, 2R 1783, Com. 1805, 3R 1806, ret. 2007. assent 2438 Council: sso 1830, 1R 1830, 2R 1900, 3R 1912, assent 2377 CAREEL BAY PROTECTION BILL: Assembly: int. 20951, 1R 20951, 2R 20951 **CATCHMENT MANAGEMENT AUTHORITIES BILL** (COGNATE): Assembly: int. 4890, 1R 4890, 2R 4890, 2R 5283, 3R 5310, cons. amdts 6137, ad. rep. 6153, mes. 6153, assent 6155 Council: 1R 5214, sso 5214, 2R 5894, Com. 5952, ad. rep. 6018, 3R 6018, assent 6369, mes. 6370 CHILD PROTECTION (INTERNATIONAL MEASURES) BILL: Assembly: sso 20699, int. 20735, 1R 20735, 2R 20735, 2R 21680, 2R 21754, 3R 21757, ret. 22004, assent 22362 Council: sso 21758, 1R 21758, 2R 21892, 3R 21904, assent 22315 CHILD PROTECTION LEGISLATION AMENDMENT BILL: Assembly: 2R 4417, 3R 4432, ret. 5369, cons. amdts 5732, ad. rep. 5734, mes. 5734, assent 6155

*Council:* 1R 4433, *sso* 4433, 2R 5217, 2R 5228, *Com.* 5235, 3R 5240, *mes.* 5645, *assent* 6369 CHILD PROTECTION (OFFENDERS PROHIBITION ORDERS) BILL: Assembly: int. 9637, 1R 9637, 2R 9637, 2R 9847, 3R 9848, ret. 10215, assent 10498 Council: sso 9752, 1R 9752, 2R 10138, 3R 10141, assent 10441 CHILD PROTECTION (OFFENDERS REGISTRATION) AMENDMENT BILL: Assembly: sso10056, int. 10056, 1R 10056, 2R 10056, 2R 11994, 3R 11998, ret. 12779, assent 13387 Council: sso 11937, 1R 11937, 2R 12692, Com. 12700, 3R 12702, assent 13309 CHILDREN AND YOUNG PERSONS (CARE AND **PROTECTION) AMENDMENT BILL: (2005)** Assembly: 19208, int. 19209, 1R 19209, 2R 19209, 19691, 3R 19693, ret. 19855, assent 20109 Council: sso 19618, 1R 19618, 2R 19734, Com. 19742, 3R 19745, assent 20023 CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) AMENDMENT BILL: (2006) Assembly: int. 22916, 1R, 2R, CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) AMENDMENT (CHILD ABUSE OR NEGLECT) BILL: Council: sso 4901, int. 4902, 1R 4902, 2R 4902 CHILDREN (DETENTION CENTRES) AMENDMENT BILL: Assembly: int. 7201, 1R 7201, 2R 7201, 2R 7837, 3R 7843, ret. 8261, assent 9177 Council: sso 7781, 1R 7781, 2R 8179, 3R 8183, assent 9111 CITY OF SYDNEY AMENDMENT (ELECTORAL ROLLS) BILL: Assembly: 1R 463, sso 1318, 2R 1319, 3R 1324, assent 1552 Council: int. 82, 1R 82, 2R 82, 2R 331, 2R 350, Com. 355, ad. rep. 363, 3R 364, ret. 1238, assent 1829 CITY TATTERSALL'S CLUB AMENDMENT BILL: Assembly: int. 4882, 1R 4882, 2R 4882, 2R 5157, 3R 5158, ret. 5369, assent 5786 Council: sso 5106, 1R 5106, 2R 5251, 3R 5253, assent 5689 CIVIL LIABILITY AMENDMENT BILL: (2003) Assembly: int. 4992, 1R 4992, 2R 4992, 2R 5347, Com. 5353, 3R 5355, ret. 6086, assent 6155 Council: sso 5380, 1R 5380, 2R 5835, 2R 5855, Com. 5858, 3R 5860, assent 6369

CIVIL LIABILITY AMENDMENT BILL: (2006) Assembly: int. 23015, 1r 23015, 2r 23015

- CIVIL LIABILITY AMENDMENT (FOOD DONATIONS) BILL: Assembly: sso 13192, int. 13537, 1R 13537, 2R 13537, 2R 15445, Com. 15449, 3R 15449, mes.
- 15980, assent 15980 Council: sso 15483, 1R 15483, 2R 15875, 3R 15876, assent 15883
- CIVIL LIABILITY AMENDMENT (MENTAL ILLNESS) BILL:

Assembly: int. 5438, 1R 5438, 2R 5438

- CIVIL LIABILITY AMENDMENT (OFFENDER DAMAGES) BILL: (2004)
  Assembly: sso 7601, int. 7602, 1R 7602, 2R 7602, 2R 7825, Com. 7831, 3R 7836, ret. 8483, assent 9177
- *Council: sso* 7781, 1R 7781, 2R 8183, 2R 8269, 2R 8293, *Com.* 8300, 3R 8304, *assent* 9111
- CIVIL LIABILITY AMENDMENT (OFFENDER DAMAGES) BILL: (2005)
- Assembly: int. 14070, 1R 14070, 2R 14070, 2R 14816, 3R 14819, mes. 15270, assent 15409
- Council: sso 14779, 1R 14779, 2R 15077, 3R 15080, assent 15337
- CIVIL LIABILITY AMENDMENT (OFFENDER DAMAGES TRUST FUND) BILL:
- Assembly: sso 17845, int. 17857, 1R 17857, 2R 17857, 2R 18464, 2R 18512, 3R 18518, mes. 19026, assent 19160
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- Council: 1R 15518, sso 15518, 2R 15933, 3R 15940, assent 16355
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- Council: sso 11629, 1R 11629, 2R 11882, 2R 11902, sso 11909, 3R 11909, assent 12307
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- 14555, 2R 15211, 2R 15048, 2R 15008, 2R 15905, 2R 16358 Clyde Waste Transfer Terminal (Special
- PROVISIONS) BILL: Assembly: 1R 6107, sso 6107, 2R 6107, 3R 6118 assent 6155
- *Council: int.* 5214, 1R 5214, 2R 5214, 2R 5864, 3R 5888, *ret.* 6021, *assent* 6369

- COAL ACQUISITION AMENDMENT (FAIR COMPENSATIO) BILL:
  - Assembly: int. 15109, 1R 15109, 2R 15109, sso 15766, 2R 15772, 3R 15778, ret. 16324, assent 16427
- Council: sso 15667, 1R 15667, 2R 16090, 2R 16239, Com. 16244, ad. rep. 16251, 3R 16251, assent 16355

COAL INDUSTRY AMENDMENT (FEES FOR RESCUE SERVICES) BILL: Assembly: assent 25 Council: assent 5

- COAL MINE HEALTH AND SAFETY BILL: Assembly: assent 25 Council: assent 5
- COMMERCIAL AGENTS AND PRIVATE INQUIRY AGENTS BILL: Assembly: int. 9636, 1R 9636, 2R 9636, 2R 10161, 3R 10173, ret. 11218, assent 11537 Council: sso 10089, 1R 10089, 2R 11122, 3R
  - 11126, assent 11493
- COMMISSION FOR CHILDREN AND YOUNG PEOPLE Amendment Bill:
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- Council: sso 19780, 1R 19780, 2R 20064, 2R 20078, Com. 20082, 3R 20083, assent 20581
- COMMISSION FOR CHILDREN AND YOUNG PEOPLE AMENDMENT (CHILD DEATH REVIEW TEAM) BILL: Assembly: assent 2942 Council: assent 2911
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- COMMONWEALTH POWERS (DE FACTO RELATIONSHIPS) BILL:
  - Assembly: int. 3236, 1R 3236, 2R 3236, 2R 3367, 3R 3374, ret. 3953 assent 4197
  - Council: 1R 3314, sso 3314, 2R 3843, 3R 3845, assent 4123
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- Council: sso 3728, 1R 3728, 2R 3842, 3R 3843, assent 4123

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Assembly: int. 16330, 1R 16330, 2R 16330, 16476, 3R 16481, mes. 16700, assent 17074 Council: sso 16419, 1R 16419, 2R 16566, 3R 16569, assent 16975

COURTS LEGISLATION AMENDMENT BILL: (2006) Assembly: sso 21550, int. 21580, 1R 21580, 2R 21580, 22122, 3R 22127 Council: sso 22058, 1R 22058, 2R 22894, Com. 23071, 3r 23072

CRIMES (ADMINISTRATION OF SENTENCES) AMENDMENT BILL: Assembly: int. 9659, 1R 9659, 2R 9659, 2R 9827, Com. 9829, 3R 9830, ret. 10214, assent 10498 Council: sso 9752, 1R 9752, 2R 10102, 3R 10109, assent 10441 **CRIMES (ADMINISTRATION OF SENTENCES)** AMENDMENT (NORFOLK ISLAND PRISONERS) BILL: Assembly: sso 11197, int. 11197, 1R 11197, 2R 11197, 3R 11198, ret. 11296, assent 11537 Council: 1R 11138, sso 11138, 2R 11220, 3R 11221, assent 11493 **CRIMES (ADMINISTRATION OF SENTENCES)** AMENDMENT (PAROLE) BILL: Assembly: int. 12098, 1R 12098, 2R 12098, 2R 12430, 3R 12432, ret. 13899, assent 13948 Council: sso 12441, 1R 12441, 2R 13815, 3R 13824, assent 13901 CRIMES AMENDMENT (ANIMAL CRUELTY) BILL: Assembly: sso 19385, int. 19387, 1R 19387, 2R 19387, 2R 19686, 3R 19690, ret. 19833, assent 20109 Council: sso 19618, 1R 19618, 2R 19713, 2R 19733, 3R 19734, assent 20023 CRIMES AMENDMENT (CHILD NEGLECT) BILL: Assembly: 1R 9215, 2R 9968, 2R 9976, sso 9977, 2R 9986, 2R 10154, 3R 10158, assent 10498 Council: int. 8331, 1R 8331, 2R 8331, 2R 9116, 2R 9140, 3R 9145, ret. 10076, assent 10441 CRIMES AMENDMENT (CHILD PORNOGRAPHY) BILL Assembly: int. 12738, 1R 12738, 2R 12738, 2R 13095, 3R 13101, ret. 13899, assent 13948 Council: 1R 13014, sso 13014, 2R 13727, 3R 13733, assent 13901 **CRIMES AMENDMENT (CORPORATE** MANSLAUGHTER) BILL: Council: int. 15685, 1R 15685, 2R 15685 CRIMES AMENDMENT (GRIEVOUS BODILY HARM) BILL Assembly: int. 14454, 1R 14454, 2R 14454, 2R 14738, 3R 14743, mes. 15608, assent 15980 Council: sso 14779, 1R 14779, 2R 15340, 2R 15365, Com. 15493, 3R 15505, assent 15883 CRIMES AMENDMENT (MURDER OF POLICE **OFFICERS) BILL:** Assembly: int. 23080, 1R 23080, 2R 23080 CRIMES AMENDMENT (ORGANISED CAR AND BOAT THEFT) BILL: Assembly: int. 21578, 1R 21578, 2R 21578, 2R 22103, 3r 22105 Council: 1R 22041, sso 22041

CRIMES AMENDMENT (PROTECTION OF INNOCENT ACCUSED) BILL: (2003)
Assembly: assent 2942
Council: int. 3162, 1R 3162, 2R 3162, 2R 3529, 2R 3819, 4905, 2R 6485, withdrawn 7116
CRIMES AMENDMENT (PROTECTION OF INNOCENT ACCUSED) BILL: (2005)
Council: int. 15908, 1R 15908, 2R 17814, 2R 18136, 2R 18400, 2R 18964, 2R 19451, 2R

20649, 2r 20776, 2r 20906, 2r 21342, 2r

21760, 2r 22200, 2r 22318, 2r 22582, 2r

23023 CRIMES AMENDMENT (ROAD ACCIDENTS) BILL: (RENAMED CRIMES AMENDMENT (ROAD ACCIDENTS) (BRENDAN'S LAW) BILL Assembly: sso 18085, int. 18124, 1R 18124, 2R 18124, 18451, Com. 18453, ad. rep. 18454 Council: withdrawn 18531

CRIMES AMENDMENT (ROAD ACCIDENTS) (BRENDAN'S LAW) BILL: (PREVIOUSLY CRIMES AMENDMENT (ROAD ACCIDENTS) BILL: Assembly: 3R 18512, mes. 18770, assent 19169 Council: sso 18432, 1R 18432, 2R 18653, 18679, 3R 18681, assent 19093

CRIMES AMENDMENT (SCHOOL PROTECTION) BILL: Assembly: assent 25 Council: assent 6, mes. 6

CRIMES AMENDMENT (SEXUAL OFFENCES) BILL: Assembly: int. 374 1R 374, 2R 374, 2R 735, 2R 834, 2R 898, Com. 904, 3R 904, ret. 1309, Com. 1391, ad. rep., 1392, mes. 1392, assent 1552
Council: 1R 820, sso 820, 2R 821, 2R 985, 2R 1081, 2R 1106, sso 1139, instr. 1139, Com. 1140, ad. rep. 1148, 3R 1148, mes. 1303, assent 1829

CRIMES AND COURTS LEGISLATION AMENDMENT BILL:
Assembly: sso 20121, int. 20132, 1R 20132, 2R 20132, 2R 20176, 3R 20177, ret. 20377, assent 20634
Council: sso 20186, 1R 20186, 2R 20227, 3R 20230, assent 20581
CRIMES AND FIREARMS LEGISLATION AMENDMENT (APPREHENDED VIOLENCE ORDERS) BILL:
Council: int. 12208, 1R 12208, 2R 12208, 2R 12657, 2R 14021, 2R 15207, 2R 15648, 2R 15899, 2R 16039

CRIMES (INTERSTATE TRANSFER OF COMMUNITY BASED SENTENCES) BILL:

Assembly: int. 9662, 1R 9662, 2R 9662, 2R 9960, 3R 9962, ret. 11218, assent 11537

Council: sso 9872, 1R 9872, 2R 11127, 3R 11131, assent 11493

**CRIMES LEGISLATION AMENDMENT BILL: (2002)** Assembly: assent 25 Council: assent 5 **CRIMES LEGISLATION AMENDMENT BILL 2003:** Assembly: sso 2608, 1R 2608, 2R 2618, 2R 2714, Com. 2715, 3R 2717 Council: int. 2039, 1R 2039, 2R 2039, 2R 2380, Com. 2382, 3R 2384, ret. 2721 **CRIMES LEGISLATION AMENDMENT BILL: (2004)** Assembly: int. 6754, 1R 6754, 2R 6754, 2R 7004, 3R 7010, ret. 7322, assent 7687 Council: sso 6919, 1R 6919, 2R 7248, 3R 7253, assent 7625 CRIMES LEGISLATION AMENDMENT (COMMENCEMENT) BILL: Assembly: sso 53, 1R 53, 2R 64, sso 93, 2R 93, 3R 94 ret. 123, assent 188 Council: 1R 64, sso 64, 2R 64, Com. 67, assent 223 CRIMES LEGISLATION AMENDMENT (PAROLE) BILL: Assembly: 1R 2008, sso 2479, 2R 2480, Com. 2484. 3R 2486 Council: int. 780, 1R 780, 2R 780, 2R 1219, 2R 1871, 2R 1875, Com. 1875, ad. rep. 1885, recom. 1886, 3R 1887, ret. 2425, assent 2911 CRIMES LEGISLATION AMENDMENT (PROPERTY **IDENTIFICATION) BILL:** Assembly: int. 94, 1R 94, 2R 94, 2R 384, 3R 391, ret. 943, assent 1497 Council: 1R 349, sso 349, 2R 814, 3R 817, assent 1434 **CRIMES LEGISLATION AMENDMENT (TERRORISM)** BILL (COGNATE): Assembly: int. 9851, 1R 9851, 2R 9851, 3R 9859, ret. 10214, assent 10498 Council: 1R 9766, sso 9766, sso 9825, 2R 10112, 3R 10118, assent 10441 CRIMES LEGISLATION FURTHER AMENDMENT BILL: Assembly: 1R 5613, sso 5613, 2R 5639, 3R 5644, assent 6136 Council: int. 5426, 1R 5426, 2R 5426, 2R 5527, Com. 5537, 3R 5539, ret. 5645, assent 6020 **CRIMES (SENTENCING PROCEDURE) AMENDMENT** BILL: Assembly: sso 22253, int. 22255, 1R 22255, 2R 22255, 2R 22502, 3R 22509 Council: 1R 22460, sso 22460 CRIMES (SENTENCING PROCEDURE) AMENDMENT (EXISTING LIFE SENTENCES) BILL: Assembly: sso 15563, int. 15563, 1R 15563, 2R 15563, 3R 15568, mes. 15980, assent 15980 Council: 1R 15484, sso 15484, 2R 15708, 3R 15755, assent 15883

CRIMES (SENTENCING PROCEDURE) AMENDMENT (GANG LEADERS) BILL: Council: int. 21382, 1R 21382, 2R 21382 CRIMES (SENTENCING PROCEDURE) AMENDMENT (VICTIM IMPACT STATEMENTS) BILL: Assembly: int. 6118, 1R 6118, 2R 6118, 2R 6202, 3R 6209, ret. 6873, assent 7623 Council: sso 6370, 1R 6370, 2R 6780, 2R 6792, 3R 6793, assent 7547 CRIMES (SERIOUS SEX OFFENDERS) BILL: Assembly: sso 21729, int. 21730, 1R 21730, 2R 21730. 3R 21735. ret. 21975. assent 21975 Council: sso 21758, 1R 21758, 2R 21801, 3R 21820, assent 21891 CRIMINAL APPEAL AMENDMENT (JURY VERDICTS) BILL: Assembly: int. 13832, 1R 13832, 2R 13832, 2R 14203, 2r 14606, 2r 21835, 2r 22624 CRIMINAL ASSETS RECOVERY AMENDMENT BILL: Assembly: int. 16113, 1R 16113, 2R 16113, 2R 16468, 3R 16469, mes. 16880, assent 17074 Council: sso 16419, 1R 16419, 2R 16599, 3R 16604, assent 16975 CRIMINAL PROCEDURE AMENDMENT (EVIDENCE) BILL: Assembly: sso 14648, int. 14649, 1R 14649, 2R 14649, 2R 14887, 3R 14899, mes. 15445, assent 15980 Council: sso 14939, 1R 14939, 2R 15366, 3R 15373, assent 15883 **CRIMINAL PROCEDURE AMENDMENT** (PROSECUTIONS) BILL: Assembly: sso 18085, int. 18125, 1R 18125, 2R 18125, 2R 18454, 3R 18454, mes. 18770, assent 19169 Council: sso 18400, 1R 18400, 2R 18676, 3R 18678, assent 19093 **CRIMINAL PROCEDURE AMENDMENT (SEXUAL** OFFENCE CASE MANAGEMENT) BILL: Assembly: sso 19832, int. 19870, 1R 19870, 2R 19870, 3R 19873, ret. 20177, assent 20634 Council: sso 19780, 1R 19780, 2R 20068, 2R 20084, 3R 20085, assent 20581 CRIMINAL PROCEDURE AMENDMENT (SEXUAL OFFENCE EVIDENCE) BILL: (2003) Assembly: sso 2956, 1R 2956, 2R 2957, 3R 2966, ret. 3102, assent 3323 Council: 1R 3002, sso 3002, 2R 3024, 3R 3034, assent 3261 **CRIMINAL PROCEDURE AMENDMENT (SEXUAL** OFFENCE EVIDENCE) BILL: (2004) Assembly: int. 9095, 1R 9095, 2R 9095, 2R 9386, 3R 9396, ret. 10215, assent 10498

Council: sso 9277, 1R 9277, 2R 10127, Com. 10136, 3R 10138, assent 10441

**CRIMINAL PROCEDURE FURTHER AMENDMENT** (EVIDENCE) BILL: Assembly: int. 14899, 1R 14899, 2R 14899, 2R 15120, 3R 15129, mes. 15779, cons. amdts 16037, ad. rep. 16037, mes. 16037, assent 16427 Council: sso 15058, 1R 15058, 2R 15518, Com. 15531, 3R 15537, mes. 16039, assent 16355 **CROSS-BORDER COMMISSION BILL:** Assembly: int. 6684, 1R 6684, 2R 6684, 2R 14208, 2R 14914, 2R 15763, 2R 16262 **CROWN LANDS AMENDMENT (ACCESS TO PROPERTY) BILL:** Assembly: int. 14608, 1R 14608, 2R 14608, 2R 14903, 2R 19034 **CROWN LANDS LEGISLATION AMENDMENT BILL:** Assembly: int. 16117, 1R 16117, 2R 16117, 2R 16953, 3R 16964, mes. 17485, sso 17526, cons. amdts 17527, ad. rep. 17536, mes. 17536, assent 17593, mes. 17540 Council: sso 16867, 1R 16867, 2R 17381, Com. 17389, 3R 17394, assent 17539, mes. 17540 **CROWN LANDS LEGISLATION AMENDMENT** (BUDGET) BILL (COGNATE): Assembly: int. 9787, 1R 9787, 2R 9787, 2R 9800, sso 9969, 2r 9969, sso 10033, 2r 10035, 3r 10035, assent 10498, ret. 10498 Council: 1R 10061, sso 10061, 2R 10389, Com. 10402, 3R 10404, assent 10441 CROWN LANDS (PREVENTION OF SALE) BILL: Council: sso 10243, int. 10245, 1R 10245, 2R 10245 **DEFAMATION BILL: (2003)** Assembly: assent 25 Council: assent 6, mes. 6 **DEFAMATION BILL: (2005)** Assembly: int. 17635, 1R 17635, 2R 17635, 2R 18518, 3R 18529, mes. 18910, assent 19169 Council: 1R 18530, sso 18530, 2R 18681, 2R 18801, 3R 18804, assent 19093 **DEFAMATION AMENDMENT (COSTS) BILL:** Assembly: int. 3586, 1R 3586, 2R 3586, 2R 4027, 2R 4481, 2R 7134 **DEVELOPER DONATIONS (ANTI-CORRUPTION) BILL:** Council: int. 4919, 1R 4919, 2R 4919, 2R 6485, 2R 6526, 2R 6671, 2R 7118 DIRECTOR OF PUBLIC PROSECUTIONS AMENDMENT (PARLIAMENTARY JOINT COMMITTEE) BILL: Assembly: int. 519, 1R 519, 2R 519, 2R 6036, 21831 DISORDERLY HOUSES AMENDMENT (COMMERCIAL SUPPLY OF PROHIBITED DRUGS) BILL:

Council: assent 5

DRIVING INSTRUCTORS AMENDMENT BILL: Assembly: assent 25 Council: assent 5
DRUG MISUSE AND TRAFFICKING AMENDMENT BILL: Assembly: sso 16903, int. 16931, 1R 16931, 2R 16931, Com. 16935, 3R 16938, ret. 23019 Council: sso 16814, 1R 16814, 2R 21030, Com. 22901, 3R 22909
DRUG MISUSE AND TRAFFICKING AMENDMENT (DANGEROUS EXHIBITS) BILL: Assembly: assent 25 Council: assent 5
DRUG SUMMIT LEGISLATIVE RESPONSE

AMENDMENT (TRIAL PERIOD EXTENSION) BILL:
Assembly: int. 3240, 1R 3240, 2R 3240. 2R 3438, 3R 3462, ret. 3894, assent 4197
Council: 1R 3429, sso 3429, 2R 3569, 2R 3676, 2R 3698, 3R 3719, assent 4123
DUST DISEASES TRIBUNAL AMENDMENT (CLAIMS RESOLUTION) BILL:
Assembly: sso 15803, int. 15804, 1R 15804, 2R 15804, 2R

- 15804, 2R 16020, 3R 16025, ret. 16177, assent 16427
- Council: 1R 15958, sso 15958, 2R 16067, 3R 16078, assent 16355
- DUTIES AMENDMENT (ABOLITION OF BOB CARR'S VENDOR DUTY) BILL: Assembly: int. 17461, 1R 17461, 2R 17461, discharged 18468

DUTIES AMENDMENT (ABOLITION OF VENDOR DUTY) BILL:
Assembly: sso 17607, int. 17621, 1r 17621, 2r 17621, 2r 17704, 2r 17774, 3r 17791, mes. 18113
Council: 1r 17793, sso 17793, 2r 17996, 2r 18025, 3r 18031, assent 18246

DUTIES AMENDMENT (LAND RICH) BILL: (2003) Assembly: int. 5046, 1R 5046, 2R 5046, 2R 5147, 3R 5155, ret. 5369, assent 5786 Council: sso 5106, 1R 5106, 2R 5241, 3R 5245, assent 5689

DUTIES AMENDMENT (LAND RICH) BILL: (2004)
Assembly: int. 12540, 1r 12540, 2r 12540, 2r
13020, 2r 13035, 3r 13036, ret. 13624, assent
13948
Council: sso 12960, 1r 12960, 2r 13503, 3r

13510, assent 13901 DUTIES AMENDMENT (STAMP DUTY REDUCTION) BILL:

Assembly: int. 5439, 1R 5439, 2R 5439, sso 8213, 2R 8215

EDUCATION AMENDMENT (COMPUTING SKILLS) BILL: Assembly: int. 3242, 1R 3242, 2R 3242, 2R 3508, 3R 3517, ret. 3953, assent 4197 Council: 1R 3527, sso 3527, 2R 3837, 3R 3841, assent 4123 EDUCATION AMENDMENT (COMPUTING SKILLS TESTING REQUIREMENT DELAY) BILL: Council: sso 22038 **EDUCATION AMENDMENT (NON-GOVERNMENT** SCHOOLS REGISTRATION) BILL: Assembly: int. 6232, 1R 6232, 2R 6232, 2R 6460, 2R 6614, 3R 6631, ret. 7083, cons. amdts 7483, assent 7687 Council: sso 6636, 1R 6636, 2R 6939, sso 6956, Com. 6958, 3R 6958, mes. 7506, assent 7625 EDUCATION LEGISLATION AMENDMENT (STAFF) BILL: Assembly: int. 22572, 1R 22572, 2R 22572, 2R 22919, Com. 22941, 3R 22943, ret. 22984 Council: sso 22873, 1R 22873, 2R 22877, 3R 22894 ELECTRICITY (CONSUMER SAFETY) BILL: Assembly: int. 6094, 1R 6094, 2R 6094, 2R 6209, 3R 6217, ret. 6873, assent 7623 Council: sso 6370, 1R 6370, 2R 6793, 3R 6799, assent 7547 **ELECTRICITY SUPPLY AMENDMENT BILL:** Assembly: int. 14135, 1R 14135, 2R 14135, 2R 14527, 3R 14551, mes. 15620, assent 15980 Council: 1R 14552, sso 14552, 2R 15387, 2R 15466, 2R 15469, 2R 15505, Com. 15511, 3R 15518, assent 15883 **ELECTRICITY SUPPLY AMENDMENT (GREENHOUSE** GAS EMISSION REDUCTION) BILL: Assembly: assent 25 Council: assent 5, mes. 6 **ELECTRICITY SUPPLY AMENDMENT (PROTECTION** OF ELECTRICITY WORKS) BILL: Assembly: sso 22408, int. 22412, 1R 22412, 2R 22412, 2r 22993, 3r 23003 Council: 1R 23020, sso 23020 **ENERGY ADMINISTRATION AMENDMENT (WATER** AND ENERGY SAVINGS) BILL: Assembly: sso 15113, int. 15113, 1R 15113, 2R 15113, 2R 15544, 2R 15609, Com. 15615, ad. rep. 15616, 3R 15619, mes. 15980, assent 15980

Council: sso 15687, 1R 15687, 2R 15687, Com. 15707, 3R 15708, assent 15883

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT BILL:
Assembly: sso 20699, int. 20730, 1R 20730, 2R 20730, 2R 21228, 3R 21258, ret. 21654, cons. amdts 21735, ad. rep. 21753, mes. 21754, assent 21975
Council: 1R 21192, sso 21192, 2R 21213, 2R 21350, 2R 21373, 2R 21504, Com, 21507, 3R

21350, 2R 21373, 2R 21504, Com. 21507, 3R 21528, mes. 21758, assent 21891

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (DEVELOPMENT CONSENTS) BILL:
Assembly: int. 4100, 1R 4100, 2R 4100, 2R 4240, Com. 4245, 3R 4245, ret. 4395, assent 4635
Council: sso 4272, 1R 4272, 2R 4272, 2R 4288, Com. 4288, Com. 4298, ad. rep. 4301, 3R 4302, assent 4569

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (DEVELOPMENT CONTRIBUTIONS) BILL:

Assembly: int. 13538, 1R 13538, 2R 13538, 2R 15625, Com. 15642, 3R 15644, mes. 15980, assent 15980

Council: sso 15687, 1R 15687, 2R 15860, 3R 15869, assent 15883

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (INFRASTRUCTURE AND OTHER PLANNING REFORM) BILL:

Assembly: int. 16332, 1R 16332, 2R 16332, 2R 16637, 2R 16650, 3R 16659, mes. 16944, assent 17074

Council: 1R 16584, sso 16584, 2R 16763, Com. 16803, ad. rep. 16813, 3R 16813, assent 16975

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (PLANNING AGREEMENTS) BILL: Council: int. 5248, 1r 5248, 2r 5248, 2r 5721, withdrawn 10388

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (QUALITY OF CONSTRUCTION) BILL:

Assembly: int. 5042, 1R 5042, 2R 5042, 2R 5355, 3R 5369, ret. 6086, cons. amdts 6086, ad. rep. 6088, mes. 6088, assent 6155

Council: sso 5380, 1R 5380, 2R 5699, Com. 5861, ad. rep. 5864, 3R 5864, mes. 5888, assent 6369

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (RESERVED LAND ACQUISITION) BILL:

Assembly: sso 21550, int. 21576, 1R 21576, 2R 21576, 2R 22033, 22108, 3R 22111, ret. 22174, assent 22362

*Council:* 1R 22041, *sso* 22041, 2R 22089, 3R 22096, *assent* 22315

EVIDENCE (AUDIO AND AUDIO VISUAL LINKS) AMENDMENT BILL: Assembly: int. 4886, 1R 4886, 2R 4886, 2R 4950, Com. 4962, ad. rep. 4966, 3R 4966, ret. 5189, assent 5576 Council: 1R 4918, sso 4918, 2R 5099, 3R 5102, assent 5501 **EVIDENCE LEGISLATION AMENDMENT (ACCUSED** CHILD DETAINEES) BILL: 21975 Assembly: int. 3651, 1R 3651, 2R 3651, 2R 3771, 3R 3772, assent 4635 Council: sso 3728, 1R 3728, 2R 4155, 3R 4157, ret. 4237, assent 4569 EXPLOSIVES BILL (COGNATE): Assembly: sso 1589, int. 1590, 1R 1590, 2R 1590, 2R 2101, 3R 2107, ret. 2908, assent 2942 Council: sso 2030, 1R 2030, 2R 2805, 3R 2809, assent 2911 BILL: FAIR TRADING AMENDMENT BILL: Assembly: int. 930, 1R 930, 2R 930, 2R 1213, 2R 1332, 2R 1364, 3R 1367, cons. amdts 2907, ad. 2942 rep. 2907, mes. 2907, assent 2942 Council: 1R 1277, sso 1277, 2R 2790, Com. 2802, 3R 2804, mes. 2814, assent 2911 FAIR TRADING AMENDMENT BILL: (2004) Assembly: int. 7199, 1R 7199, 2R 7199, 2R 7730, 3R 7733, ret. 7919, assent 8201 Council: 1R 7750, sso 7750, 2R 7795, 3R 7800, assent 8139 6155 FAIR TRADING AMENDMENT (RESPONSIBLE **CREDIT) BILL:** Council: int. 15668, 1R 15668, 2R 15668, 2R 15908, 2r 16529, 2r 17583, 2r 17684, 2r 18136 FAMILY IMPACT COMMISSION BILL: Council: int. 505, 1R 505, 2R 505, 2R 976, 2R 3162, 2r 4016, 2r 4474, 2r 4905, 2r 6485, 2r 7116, 2r 7537, 2r 10486, 2r 11766, 2r 12207, 2r 14020, 2r 14155, 2r 15647, 2r 15897, 2r 17814, 2r 19451, 2r 20649, 2r 20776, 2r 21342, 2R 21760, 2R 22200, 2R 22318, 2R 22582, 2R 23023 19682, assent 20109 FARM DEBT MEDIATION AMENDMENT (WATER ACCESS LICENCES) BILL: Assembly: int. 18909, 1R 18909, 2R 18909, 2R 19344, 3R 19345, ret. 19887, assent 20109 Council: sso 19264, 1R 19264, 2R 19780, 3R 19782, assent 20023 FILMING APPROVAL BILL: Assembly: int. 8452, 1R 8452, 2R 8452, 2R 8924, 3R 8936, cons. amdts 9652, ad. rep. 9658, mes. 9658, assent 9811 Council: sso 8953, 1R 8953, 2R 9308, 2R 9547,

Com. 9558, 3R 9573, assent 9679, mes. 9679

FINES AMENDMENT BILL: Assembly: sso 9452, int. 9462, 1R 9462, 2R 9462, 2R 9627, 3R 9634, ret. 9960, assent 10498 Council: sso 9546, 1R 9546, 2R 9753, Com. 9757, 3R 9760, assent 10441

FINES AMENDMENT (PAYMENT OF VICTIMS COMPENSATION LEVIES) BILL: Assembly: sso 20699, int. 20738, 1R 20738, 2R 20738, 2R 21319, 3R 21320, ret. 21729, assent

Council: sso 21321, 1R 21321, 2R 21639, 3R 21642, assent 21891

FIREARMS AMENDMENT (GOOD BEHAVIOUR BONDS) BILL: Assembly: 1R 21421, carriage 21686 Council: sso 20904, int. 20904, 1R 20904, 2R 20904, 2r 21342, 3r 21348

FIREARMS AMENDMENT (PROHIBITED PISTOLS)

Assembly: sso 1589, int. 1595, 1R 1595, 2R 1595, 2R 1969, Com. 1984, 3R 1985, ret. 2907, assent

Council: 1R 1912, sso 1912, 2R 2733, 2R 2752, Com. 2771, Com. 2782, 3R 2784, assent 2911

FIREARMS AND CRIMES LEGISLATION AMENDMENT (PUBLIC SAFETY) BILL:

Assembly: int. 4352, 1R 4352, 2R 4352, 2R 4684, 2R 4710, Com. 4713, 3R 4714, ret. 4869, cons. amdts 5735, ad. rep. 5736, mes. 5736, assent

- Council: sso 4716, 1R 4716, 2R 4737, 2R 4757, Com. 4763, 3R 4766, mes. 5645, assent 6369
- FIRE BRIGADES AMENDMENT (COMMUNITY FIRE UNITS) BILL: Assembly: int. 16034, 1R 16034, 2R 16034, 2R 16469, 3R 16476, mes. 16700, assent 17074 Council: sso 16419, 1R 16419, 2R 16584, 3R 16589, assent 16975

FIRST STATE SUPERANNUATION LEGISLATION AMENDMENT (CONVERSION) BILL: Assembly: sso 19208, int. 19218, 1R 19218, 2R 19218, sso 19385, 2R 19397, 3R 19399, ret.

Council: sso 19312, 1R 19312, 2R 19590, 3R 19591, assent 20023

FISCAL RESPONSIBILITY BILL:

Assembly: sso 15779, int. 15965, 1R 15965, 2R 15965, sso 16138, 2R 16270, sso 16643, 2R 16643, 3R 16650, mes. 16944, assent 17074 Council: 1R 16558, sso 16559, 2R 16818, Com. 16823, 3R 16826, assent 16975

FISHERIES MANAGEMENT AMENDMENT BILL: Assembly: 1R 8433, 2R 8433, sso 8436, 3R 8446, assent 8641

Council: int. 7781, 1R 7781, 2R 7781, 2R 8143, 3R 8151, ret. 8283, assent 8657

FISHERIES MANAGEMENT AMENDMENT BILL: (2006)Assembly: sso 20699, int. 20739, 1R 20739, 2R 20739, 2r 22189, 3r 22192 Council: sso 22193, 1R 22193, 2R 22739, 3R 22755, ret. 22916 FISHERIES MANAGEMENT AMENDMENT (CATCH HISTORY) BILL: Assembly: int. 15761, 1R 15761, 2R 15761, 2R 22633 FOOD BILL: Assembly: int. 100, 1R 100, 2R 100, 2R 1180, 3R 1185, ret. 3102 assent 3323 Council: 1R 1149, sso 1149, 2R 1244, 2R 1274, 2R 3034, 3R 3035, assent 3261 FOOD LEGISLATION AMENDMENT BILL: Assembly: int. 6751, 1R 6751, 2R 6751, 2R 6873, 3R 6882, ret. 7297, cons. amdts 7484, assent 7687 Council: sso 6919, 1R 6919, 2R 6976, 2R 7222, Com. 7223, 3R 7224, mes. 7506, assent 7625 FORESTRY (DARLING MILLS STATE FOREST **REVOCATION) BILL:** Assembly: int. 12560, 1R 12560, 2R 12560, 2R 14138, 3R 14143, mes. 14551, assent 14701 Council: 1R 14155, sso 14155, 2R 14433, 3R 14435, assent 14671 FREEDOM OF INFORMATION AMENDMENT (OPEN GOVERNMENT-DISCLOSURE OF CONTRACTS) BILL: Assembly: int. 20505, 1R 20505, 2R 20505 FREEDOM OF INFORMATION AMENDMENT (TERRORISM AND CRIMINAL INTELLIGENCE) BILL: Assembly: int. 6218, 1R 6218, 2R 6218, 2R 7724, Com. 7727, 3R 7727, ret. 8520, assent 9177 Council: sso 7781, 1R 7781, 2R 8329, 2R 8334, 3R 8337, assent 9111 FUNERAL FUNDS AMENDMENT BILL: Assembly: int. 3973, 1R 3973, 2R 3973, 2R 4251, 3R 4263, ret. 4432, assent 4635 Council: sso 4265, 1R 4265, 2R 4319, 3R 4320, assent 4569 GAMBLING (TWO-UP) AMENDMENT BILL: Assembly: int. 16116, 1R 16116, 2R 16116, 2R 16697, 3R 16698, mes. 16944, assent 17074 Council: sso 16627, 1R 16627, 2R 16815, 3R 16818, assent 16975 GAME AND FERAL ANIMAL CONTROL AMENDMENT BILL Assembly: int. 15112, 1R 15112, 2R 15112, 2R 15456, 3R 15460, mes. 16138, assent 16427

Council: sso 15483, 1R 15483, 2R 15940, 2R 16050, Com. 16050, 3R 16054, assent 16355

GAMING MACHINES AMENDMENT BILL: (2004) Assembly: int. 12545, 1R 12545, 2R 12545, 2R 13187, 2R 13425, 3R 13426, ret. 13899, assent 13948, assent 19169 Council: sso 13360, 1R 13360, 2R 13792, 3R 13796, assent 13901 GAMING MACHINES AMENDMENT BILL: (2005) Assembly: sso 16903, int. 16919, 1R 16919, 2R 16919, Com. 16926, 3R 16927, mes. 19026 Council: sso 16814, 1R 16814, 2R 18290, Com. 18858, 3R 18867, assent 19093 GAMING MACHINES AMENDMENT (MISCELLANEOUS) BILL: Assembly: int. 3647, 1R 3647, 2R 3647, 2R 3868, 3R 3894, ret. 4248, assent 4635 Council: 1R 3810, sso 3810, 2R 4158, 3R 4169, assent 4569 GAMING MACHINES AMENDMENT (SHUTDOWN PERIODS) BILL: Assembly: int. 382, 1R 382, 2R 382, 2R 1196, Com. 1209, 3R 1209, ret. 2184, assent 2438 Council: sso 1218, 1R 1218, 2R 1913, 2R 2051, Com. 2057, 3R 2064, assent 2377 GENE TECHNOLOGY (GM CROP MORATORIUM) BILL (COGNATE): (2003) Assembly: sso, 1534, 1R 1534, 2R 1534, 2R 1601, 3R 1616, assent 2367 Council: int. 761, 1R 761, dec. urg. 761, 2R 761, 2R 763, 2R 784, Com 1248, Com. 1277, Com. 1416, Com. 1436, ad. rep. 1459, recom. 1459, 3R 1462, Com., 1611, ret. 1829, assent 2377 GENE TECHNOLOGY (GM CROP MORATORIUM) AMENDMENT BILL: Assembly: 1R 13093, sso 13192, sso 13439, 2R 13439, 3R 13443, assent 13948 Council: int. 12022, 1R 12022, 2R 12022, 2R

12059, 2R 12335, 2R 12798, 2R 12825, 2R 12828, sso 12829, Com. 12830, Com. 12939, ad. rep. 12940, sso 12973, 3R 12974, ret. 13380, assent 13901

GENE TECHNOLOGY (GM CROP MORATORIUM) AMENDMENT (POSTPONEMENT OF EXPIRY) BILL: Assembly: int. 18449, 1r 18449, 2r 18456, 3r 18962, ret. 19479, assent 20109 Council: sso 18873, 1r 18873, 2r 19292, Com. 19309, 3r 19311, assent 20023

GENE TECHNOLOGY (NEW SOUTH WALES) BILL (COGNATE): (2003) Assembly: sso 1534, 1r 1534, 2r 1534, 2r 1601,

Com. 1610, 3R 1616, assent 2367 Council: int. 761, 1R 761, dec. urg. 761, 2R 761, 2R 763, 2R 784, Com. 1248, Com. 1277, Com. 1416, Com. 1436, ad. rep. 1459, recom. 1459, 3R 1462, ret. 1829, assent 2377 GOVERNMENT (OPEN MARKET COMPETITION) BILL: (2003) Assembly: int. 1020, 1R 1020, 2R 1020, 2R 2831 GOVERNMENT (OPEN MARKET COMPETITION) BILL: (2004) Assembly: 2R 13836 **GOVERNMENT SCHOOL ASSETS REGISTER BILL:** (2003)Assembly: int. 2830, 1R 2830, 2R 2830, 2R 4035, 2R 4482, 2R 7142, 2R 7973, 2R 10764 Council: int. 12657, 1R 12657, 2R 12657, 2R 12671, 2r 14037, 2r 14044, 2r 14051, 2r 14157, 2R 14178, Com. 14181, 3R 14181 GOVERNOR GENERAL'S RESIDENCE (GRANT) AMENDMENT BILL: Assembly: sso 19208, int. 19210, 1R 19210, 2R 19210, sso 19385, 2R 19393, 3R 19393, ret. 21167, assent 21536 Council: sso 19312, 1R 19312, 2R 21067, 3R 21069, assent 21461 **GOVERNMENT SCHOOL ASSETS REGISTER BILL:** (2005)Assembly: 1R 14309, discharged GREEK ORTHODOX ARCHIDIOCESE OF AUSTRALIA **CONSOLIDATED TRUST AMENDMENT (DUTIES)** BILL: Assembly: sso 19208, int. 19211, 1R 19211, 2R 19211, sso 19385, 2R 19393, 19396, 3R 19397, ret. 21729, assent 21975 Council: sso 19312, 1R 19312, 2R 21635, 3R 21638, assent 21891 GREYHOUND AND HARNESS RACING ADMINISTRATION BILL: Assembly: int. 8634, 1R 8634, 2R 8634, sso 8937, 2R 8937, 3R 8942, ret. 9450, assent 9811 Council: sso 8953, 1R 8953, 2R 9304, 3R 9308, assent 9679 **GUARDIANSHIP AND PROTECTED ESTATES** LEGISLATION AMENDMENT BILL: Assembly: assent 25 Council: assent 5 HAIRDRESSERS BILL: Assembly: int. 4102, 1R 4102, 2R 4102, 2R 4330, 3R 4337, ret. 4432, assent 4635 Council: sso 4272, 1R 4272, 2R 4311, 3R 4317, assent 4569 HEALTH CARE COMPLAINTS AMENDMENT (SPECIAL COMMISSION OF INQUIRY) BILL: Assembly: sso 7849, int. 7850, 1R 7850, 2R 7850, 2R 7890, 3R 7897, ret. 7919, assent 8201 Council: 1R 7805, sso 7805, 2R 7805, 3R 7817, assent 8139

HEALTH LEGISLATION AMENDMENT BILL: (2003) Assembly: int. 97, 1R 97, 2R 97, 2R 1309, 3R 1312, ret. 3953, assent 4197 Council: sso 1218, 1 R 1218, 2R 3314, 2R 3723,

Com. 3726, Com. 3836, 3R 3836, assent 4123

- HEALTH LEGISLATION AMENDMENT BILL: (2004) Assembly: int. 8043, 1r 8043, 2r 8043, 2r 8447, 3r 8452, ret. 9450, assent 9811 Council: 1r 8283, sso 8283, 2r 8685, 2r 9302, 3r 9304, assent 9679
- HEALTH LEGISLATION AMENDMENT BILL: (2005) Assembly: int. 18447, 1r 18447, 2r 18447, 2r 18953, 3r 18956, ret. 19384, assent 20109 Council: sso 18873, 1r 18873, 2r 19278, 3r 19282, assent 20023

HEALTH LEGISLATION AMENDMENT (COMPLAINTS) BILL (COGNATE):

- Assembly: int. 11991, 1R 11991, 2R 11991, 2R 12418, 3R 12429, ret. 13081, cons. amdts 13545, ad. rep. 13545, mes. 13545, assent 13948
- Council: sso 12441, 1R 12441, 2R 12940, 2R 12961, 3R 12972, mes. 13467, assent 13901

HEALTH LEGISLATION FURTHER AMENDMENT BILL:
Assembly: int. 11341, 1R 11341, 2R 11341, 2R 11999, Com. 12014, 3R 12015, ret. 12937, assent 13387
Council: sso 12036, 1R 12036, 2R 12845, 3R 12854, assent 13309
HEALTH REGISTRATION LEGISLATION AMENDMENT BILL (COGNATE):
Assembly: int. 11991, 1R 11991, 2R 11991, 2R 12418, 3R 12429, ret. 13081, assent 13948

Council: sso 12441, 1R 12441, 2R 12940, 2R 12961, 3R 12972, assent 13901

HEALTH SERVICES AMENDMENT BILL:

- Assembly: int. 12284, 1R 12284, 2R 12284, 12606, sso 12625, 2R 12715, 2R 12723, Com. 12731, ad. rep. 12734, 3R 12734, ret. 13227, cons amdts 13546, ad. rep. 13546, mes. 13546, assent 13948
- Council: 1R 12671, sso 12671, 2R 12981, Com. 13137, 3R 13138, mes. 13467, assent 13901

HISTORIC HOUSES AMENDMENT BILL: Assembly: int. 11685, 1R 11685, 2R 11685, 2R 12177, 2R 12558, 3R 12559, mes. 14525, assent 14701 Council: sso 12466, 1R 12466, 2R 14421, 3R

*Council: sso* 12466, 1R 12466, 2R 14421, 3R 14430, *assent* 14671

HOME BUILDING AMENDMENT BILL:

Assembly: int. 12535, 1R 12535, 2R 12535, 2R 13101, 3R 13127, ret. 13832, cons. amdts 13882, ad. rep. 13883, mes. 13883, assent 13948

Council: 1R 13129, sso 13129, 2R 13493, Com. 13510, 3R 13525, mes. 13726, assent 13901

HUMAN CLONING AND OTHER PROHIBITED PRACTICES BILL (COGNATE): Assembly: int. 850, 1R 850, 2R 850, 2R 1620, 2R 1638, 2R 1690, 3R 1694, ret. 2335, cons. amdts 2475, ad. rep. 2478, mes. 2478, assent 2942 Council: sso 1830, 1R 1830, 2R 2064, 2R 2186, Com. 2187, Com. 2209, ad. rep., 2221, 3R, 2224, assent 2911 HUMAN TISSUE AND ANATOMY LEGISLATION AMENDMENT BILL: Assembly: int. 938, 1R 938, 2R 938, 2R 1312, 3R 1318, ret. 2335, assent 2942 Council: sso 1238, 1R 1238, 2R 2225, 3R 2233 INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT BILL: Assembly: sso 14133, int. 14133, 1R 14133, 2R 14133, 2R 14355, Com. 14375, 3R 14379, mes. 15270, cons. amdts 15270, ad. rep. 15270, mes. 15270, assent 15409 Council: sso 14402, 1R 14402, 2R 14409, 2R 15017, Com. 15022, Com. 15059, 3R 15070, mes. 15205, assent 15337 INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (ETHICS COMMITTEE) BILL: Assembly: int. 4545, 1R 4545, 2R 4545, 2R 4662, 2R 4682, 3R 4684, ret. 5189, assent 5576 Council: sso 4628, 1R 4628, 2R 4722, 2R 4736, 2R 5106, 3R 5108, assent 5501 INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT (OPERATIONS REVIEW COMMITTEE) BILL: Assembly: sso 21990, int. 22026, 1R 22026, 2R 22026, 2r 22943, 3r 22945 Council: sso 22873, 1R 22873 INDUSTRIAL RELATIONS AMENDMENT BILL: Assembly: sso 19983, int. 20010, 1R 20010, 2R 20010, sso 20121, 2R 20123, 3R 20132, ret. 20377, assent 20634 Council: 1R 20068, sso 20068, 2R 20193, 2R 20208, 3R 20221, assent 20581 INDUSTRIAL RELATIONS AMENDMENT BILL (COGNATE): (2006) Assembly: sso 21116, int. 21148, 1R 21148, 2R 21148, 3R 21166, sso 21421, ret. 21454, cons. Amdts 21454, ad. rep. 21459, mes. 21459, assent 21536 Council: 1R 21095, sso 21095, 2R 21169, 2R 21202, Com. 21367, 3R 21373, assent 21461, mes. 21461 INDUSTRIAL RELATIONS AMENDMENT (ADOPTION LEAVE) BILL: Assembly: sso 1589, int. 1589, 1R 1589, 2R 1589, 2R 2107, 3R 2112, ret. 3894, assent 4197 Council: sso 2030, 1R 2030, 2R 3721, 3R 3723, assent 4123

INDUSTRIAL RELATIONS AMENDMENT (INDUSTRIAL AGENTS) BILL: Assembly: assent 25 Council: assent 5

INDUSTRIAL RELATIONS AMENDMENT (PUBLIC VEHICLES AND CARRIERS) BILL: Assembly: int. 4108, 1r 4108, 2r 4108, 2r 4337, 3r 4344, ret. 4432, assent 4635

Council: 1R 4287, sso 4287, 2R 4317, 3R 4318, assent 4569

INFRASTRUCTURE IMPLEMENTATION CORPORATION BILL:

- Assembly: sso 19385, int. 19385, 1R 19385, 2R 19385, 19682, 3R 19685, ret. 19792, assent 20109
- *Council:* 1R 19600, *sso* 19600, 2R 19618, 3R 19630, *assent* 20023

INSTITUTE OF SPORT AMENDMENT BILL

Assembly: int. 1694, 1R 1694, 2R 1694, 2R 2113, 3R 2119, ret. 3504 Council: 1R 2038, sso 2038 2R 3429, 3R 3431,

assent 3671

INSTITUTE OF TEACHERS BILL:
Assembly: int. 8946, 1r 8946, 2r 8946, 2r 9473, 2r 9478, 3r 9480, assent 10498, ret. 10498
Council: sso 9481, 1r 9481, 2r 10415, Com. 10429, 3r 10432, assent 10441

JAMES HARDIE (CIVIL LIABILITY) BILL:
Assembly: sso 20548, int. 20549, 1R 20549, 2R 20549, 3R 20556, ret. 20578, assent 20634
Council: 1R 20453, sso 20453, 2R 20453, 20457, 3R 20463, assent 20581

JAMES HARDIE (CIVIL PENALTY COMPENSATION RELEASE) BILL:
Assembly: sso 20548, int. 20549, 1R 20549, 2R 20549, 3R 20556, ret. 20578, assent 20634
Council: 1R 20453, sso 20453, 2R 20453, 20457, 3R 20463, assent 20581

JAMES HARDIE FORMER SUBSIDIARIES (SPECIAL PROVISIONS) BILL:
Assembly: sso 17089, int. 17091, 1R 17091, 2R 17091, 3R 17097, mes. 17347, assent 17593
Council: sso 17067, 1R 17067, 2R 17197, 3R 17206, assent 17539

JAMES HARDIE FORMER SUBSIDIARIES (WINDING UP AND ADMINISTRATION) BILL:
Assembly: sso 20548, int. 20549, 1R 20549, 2R 20549, 3R 20556, ret. 20578, assent 20634
Council: 1R 20453, sso 20453, 2R 20453, 20457, 3R 20463, assent 20581

JUDICIAL OFFICERS AMENDMENT BILL: Assembly: sso 22408, int. 22416, 1R 22416, 2R 22416 JURY AMENDMENT BILL:

- Assembly: int. 12096, 1R 12096, 2R 12096, 2R 12433, 3R 12440, ret. 13899, assent 13948
- *Council: sso* 12441, 1R 12441, 2R 13768. 3R 13774, *assent* 13901
- JURY AMENDMENT (MAJORITY VERDICTS) BILL: Assembly: int. 11812, 1r 11812, 2r 11812, 22250
- JURY AMENDMENT (VERDICTS) BILL:
  Assembly: sso 22145, int. 22160, 1R 22160, 2R 22160, 2R 22484, 3R 22502, ret. 22826
  Council: 1R 22449, sso 22449, 2R 22696, 22719, Com. 22725, 3R 22727
- JUVENILE OFFENDERS LEGISLATION AMENDMENT BILL:
- Assembly: sso 13192, int. 13194, 1R 13194, 2R 13194, 3R 13213, ret. 13899, assent 13948
- Council: 1R 13154, sso 13154, 2R 13676, 2R 13741, Com. 13763, ad. rep. 13767, 3R 13768, assent 13901
- LAND TAX MANAGEMENT AMENDMENT (TAX THRESHOLD) BILL:
- Assembly: sso 20699, int. 20727, 1R 20727, 2R 20727, 2R 21301, 3R 21319, ret. 21729, assent 21975
- Council: sso 21321, 1R 21321, 2R 21642, 3R 21648, assent 21891
- LAW ENFORCEMENT (CONTROLLED OPERATIONS) Amendment Bill:
- Assembly: int. 21227, 1R 21227, 2R 21227, 2R 21658, 3R 21663, ret. 22160, assent 22362
- Council: 1R 21612, sso 21612, 2R 22041, 22067, Com. 22076, 3R 22077, assent 22315
- LAW ENFORCEMENT LEGISLATION AMENDMENT (PUBLIC SAFETY) BILL:
  - Assembly: int. 20620, 1R 20620, 2R 20620, 2R 20622, ret. 20635, cons. amdts 20635, ad. rep. 20636, mes. 20636, assent 20679
  - Council: 1R 20582, sso 20582, 2R 20582, Com. 20607, 3R 20610, mes. 20619, assent 20637
- LAW ENFORCEMENT (POWERS AND RESPONSIBILITIES) AMENDMENT (IN-CAR VIDEO SYSTEMS) BILL:
  - Assembly: sso 13399, int. 13420, 1R 13420, 2R 13420, 3R 13423, ret. 13899, assent 13948
- *Council: sso* 13360, 1R 13360, 2R 13734, *Com.* 13738, 3R 13740, *assent* 13901
- LAW OF EVIDENCE BILL (PRO FORMA): Assembly: 1R 23 Council: 1R 10
- LEGAL PROFESSION BILL:
- Assembly: sso 13192, sso 13399, int. 13404, 1R 13404, 2R 13404, 3R 13419, ret. 13899, assent 13948
- *Council: sso* 13360, 1R 13360, 2R 13802, *Com.* 13813, 3R 13815, *assent* 13901

- LEGAL PROFESSION AMENDMENT BILL: (2004) Assembly: int. 9396, 1R 9396, 2R 9396, 2R 9580, 3R 9582, ret. 10214, assent 10498 Council: 1R 9482, sso 9482, 2R 10110, 2R 10111, 3R 10111, assent 10441
- LEGAL PROFESSION AMENDMENT BILL: (2005) Assembly: sso 16903, int. 16927, 1R 16927, 2R 16927, 3R 16930, mes. 17358, assent 17593 Council: sso 16814, 1R 16814, 2R 17225, 3R 17228, assent 17539
- LEGAL PROFESSION AMENDMENT BILL: (2006) Assembly: sso 22145, int. 22174, 1R 22174, 2R 22174, 2R 22552, Com. 22572, 3R 22572 Council: 1R 22598, sso 22598
- LEGAL PROFESSION LEGISLATION AMENDMENT (ADVERTISING) BILL: Assembly: 1R 5801, sso 5803, 2R 5826, 3R 5829, assent 6155 Council: int. 5503, 1R, 5503, dec. urg. 5503, 2R 5503, 2R 5695, 3R 5699, ret. 5830, assent 6369
- LEGISLATION REVIEW AMENDMENT (FAMILY IMPACT) BILL: Assembly: 1r 19051 Council: sso 16985, int. 16985, 1r 16985, 2r 16985, 2r 17827, 2r 18155, 2r 18400, 2r 18533, 2r 18552, Com. 18964, 3r 18964
- LICENSING AND REGISTRATION (UNIFORM PROCEDURES) AMENDMENT (PHOTO ID) BILL: Assembly: sso 13192, int. 13302, 1R 13302, 2R 13302, 3R 13305, ret. 13899, assent 13948 Council: sso 13309, 1R 13309, 2R 13774, 3R 13779, assent 13901
- LIQUOR AMENDMENT (PARLIAMENTARY PRECINCTS) BILL: Assembly: int. 8936, 1R 8936, 2R 8936, 2R 9619, 2R 9625, 3R 9627, assent 10498, ret. 10498 Council: sso 9546, 1R 9546, 2R 10247, 3R 10255, assent 10441
- LIQUOR AMENDMENT (PARLIAMENT HOUSE) BILL: Assembly: int. 7969, 1r 7969, 2r 7969
- LIQUOR AMENDMENT (RACING CLUBS) BILL: Assembly: int. 9664, 1R 9664, 2R 9664, 2R 9963, 3R 9966, ret. 11581, assent 12284 Council: sso 9872, 1R 9872, 2R 11509, 3R 11511, assent 12225
- LOCAL GOVERNMENT AMENDMENT BILL: (2003) Council: int. 5423, 1R 5423, 2R 5423, withdrawn 10388
- LOCAL GOVERNMENT AMENDMENT BILL: (2005) Assembly: sso 16903, sso 16938, int. 16966, 1R 16966, 2R 16966, 3R 16973, mes. 17461, sso 17526, cons. amdts 17527, ad. rep. 17536, mes. 17536, assent 17593
- Council: sso 16867, 1R 16867, 2R 17216, 2R 17236, Com. 17238, 3R 17242, assent 17539, mes. 17540

LOCAL GOVERNMENT AMENDMENT (COUNCIL AND **EMPLOYEE SECURITY) BILL:** Assembly: 1R 7919, 2R 8050, 2R 8498, Com. 8516, 3R 8520, assent 8641 Council: int. 7548, 1R 7548, 2R 7548, 2R 7667, sso 7794, Com. 7795, Com. 7801, 3R 7804, ret. 8521, assent 8657 LOCAL GOVERNMENT AMENDMENT (CUDGEGONG (ABATTOIR) COUNTY COUNCIL DISSOLUTION) BILL: Assembly: sso 4397, int. 4397, 1R 4397, 2R 4397, 2R 4416, 3R 4417, ret.4432, assent 4635 Council: 1R 4321, sso 4321, 2R 4321, 3R 4323, assent 4569 LOCAL GOVERNMENT AMENDMENT (DISCIPLINE) BILL: Assembly: sso 9640, int. 9643, 1R 9643, 2R 9643, 2R 11198, Com. 11217, 3R 11218, ret. 11341, assent 11537 Council: 1R 11219, sso 11219, 2R 11221, 2R 11262, 3R 11267, assent 11493 LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL: Assembly: int. 937, 1R 937, 2R 937, 2R 1392, Com. 1407, 3R 1412, ret. 2608, cons. amdts 2614, ad. rep. 2618, mes. 2618, assent 2942 Council: sso 1462, 1R 1462, 2R 2233, 2R 2241, Com. 2249, Com. 2407, 3R 2414, mes. 2528, assent 2911 LOCAL GOVERNMENT AMENDMENT (EMPLOYMENT **PROTECTION) BILL:** Assembly: sso 2608, 1R 2608, 2R 2609, 3R 2614, assent 2942 Council: int. 2050, 1R 2050, 2R 2050, 2R 2384, 2R 2400, Com. 2402, 3R 2407, ret. 2508, assent 2911 LOCAL GOVERNMENT AMENDMENT (GRAFFITI) BILL: Assembly: int. 518, 1R 518, 2R 518, 2R 1476, 2R 2836, 2r 3175 LOCAL GOVERNMENT AMENDMENT (MAYORAL **ELECTIONS) BILL:** Assembly: sso 9452, int. 9466, 1R 9466, 2R 9466, 3R 9473, ret. 9960, assent 10498 Council: sso 9481, 1R 9481, 2R 9766, 3R 9770, assent 10441 LOCAL GOVERNMENT AMENDMENT (MISCELLANEOUS) BILL: Assembly: sso 22408, int. 22410, 1R 22410, 2R 22410. 2R 22984. 3R 22989 Council: 1R 22901, sso 22901 LOCAL GOVERNMENT AMENDMENT (NATIONAL **COMPETITION POLICY REVIEW) BILL:** Assembly: 1R 735, sso 1324, 2R 1324, 3R 1332, assent 1552 Council: int. 223, 1R 223, 2R 223, 2R 646, 2R 654, Com. 658, ret. 1238, assent 1829

LOCAL GOVERNMENT AMENDMENT (NO FORCED AMALGAMATIONS) BILL: (LEGISLATIVE COUNCIL BILL) Assembly: rec. 4105, 1R 4105, 2R 4105, 4496 (removed) Council: 1R 3392, 2R 3392, 2R 3980, 2R 4001, 3R 4015 LOCAL GOVERNMENT AMENDMENT (NO FORCED AMALGAMATIONS) BILL: (LEGISLATIVE ASSEMBLY BILL) Assembly: int. 3175, 1R 3175, 2R 3175, 2R 3578, 4485 LOCAL GOVERNMENT AMENDMENT (PUBLIC-PRIVATE PARTNERSHIPS) BILL: Assembly: sso 13192, int. 13305, 1R 13305, 2R 13305, 2R 13426, 3R 13426, sso 13432, ret. 13882, assent 13948 Council: sso 13360, 1R 13360, 2R 13666, 3R 13676, assent 13901 LOCAL GOVERNMENT AMENDMENT (STORMWATER) BILL: Assembly: int. 17644, 1R 17644, 2R 17644, 2R 17974, Com. 17994, Com. 18126, 3R 18127, mes. 18529, assent 19052 Council: sso 18134, 1R 18134, 2R 18416, 2R 18428, Com. 18429, 3R 18432, assent 18963 LOCAL GOVERNMENT AND VALUATION OF LAND AMENDMENT (WATER RIGHTS) BILL: Assembly: sso 17089, int. 17110, 1R 17110, 2R 17110, 3R 17116, mes. 17358, assent 17593 Council: sso 17067, 1R 17067, 2R 17229, 3R 17236, assent 17539 LORD HOWE ISLAND AMENDMENT BILL: Assembly: int. 4348, 1R 4348, 2R 4348, 2R 6987, Com. 7003, 3R 7004, ret. 7348, assent 7687

Council: 1R 6966, sso 6966, 2R 7253, Com. 7262, 3R 7264, assent 7625 LOTTERIES AND ART UNIONS AMENDMENT BILL:

Assembly: int. 379, 1R 379, 2R 379, 2R 1412, Com. 1414, 3R 1414, ret. 2335, assent 2942 Council: sso 1462, 1R 1462, 2R 2259, 3R 2263, assent 2911

LUNA PARK SITE AMENDMENT (NOISE CONTROL) BILL: Assembly: int. 18439, 1r 18439, 2r 18439, 18744, 3r 18758, mes. 18886, assent 19052 Council: sso 18697, 1r 18697, 2r 18698, 3r 18724, assent 18963

MARINE SAFETY AMENDMENT (RANDOM BREATH TESTING) BILL: Assembly: sso 13192, int. 13536, 1r 13536, 2r

13536, 2R 14067, 3R 14070, mes. 14525, assent 14701

*Council*: 1R 14016, *sso* 14016, 2R 14430, 3R 14433, *assent* 14671

MARKETING OF PRIMARY PRODUCTS AMENDMENT (RICE MARKETING) BILL: Assembly: 1R 5155, sso 5613, 2R 5613, 3R 5615, assent 6136 Council: int. 4720, 1R 4720, 2R 4720, 2R 5065, 3R 5071, ret. 5557, assent 6020 MENTAL HEALTH (CRIMINAL PROCEDURE) AMENDMENT BILL: Assembly: sso 19208, int. 19214, 1R 19214, 2R 19214, 2R 19803, 3R 19814, ret. 20177, assent 20634 Council: 1R 19746, sso 19746, 2R 20085, 3R 20097, assent 20581 MINE HEALTH AND SAFETY BILL: Assembly: int. 8637, 1R 8637, 2R 8637, 2R 9088, 3R 9094, ret. 11218, assent 11537 Council: sso 9111, 1R 9111, 2R 11131, 3R 11138, assent 11493 MINE SAFETY (COST RECOVERY) BILL: Assembly: sso 19983, int. 20019, 1R 20019, 2R 20019, sso 20121, 2R 20152, 3R 20156, ret. 20346, cons. amdts 20518, ad. rep. 20518, mes. 20518, assent 20634 Council: sso 20084, 1R 20084, 2R 20097, 2R 20188, Com. 20192, 3R 20193, mes. 20427, assent 20581 MINING AMENDMENT (CYANIDE LEACHING) BILL: Council: sso 11496, int. 11497, 1R 11497, 2R 11497, 2R 12310, sso 12333, 2R 12333 MINING AMENDMENT (MISCELLANEOUS **PROVISIONS) BILL:** Assembly: int. 8040, 1R 8040, 2R 8040, 2R 9079, Com. 9087, 3R 9088, ret. 11218, assent 11537 Council: sso 9111, 1R 9111, 2R 11138, 3R 11145, assent 11493 MOTOR ACCIDENTS COMPENSATION AMENDMENT BILL (COGNATE): Council: sso 21758, 1R 21758, 2R 21904, 2R 21919, Com. 21965, 3R 21968, assent 22873 Assembly: sso 21399, int. 21400, 1R 21400, 2R 21400, 2R 21663, Com. 21679, 3R 21680, ret. 22127, assent 22983 MOTOR ACCIDENTS COMPENSATION AMENDMENT (TERRORISM) BILL: Assembly: int. 4344, 1R 4344, 2R 4344, 2R 4795, 3R 4797, ret. 4879, assent 5576 Council: sso 4716, 1R 4716, 2R 4783, 3R 4785, assent 5501 MOTOR ACCIDENTS LEGISLATION AMENDMENT BILL Assembly: int. 4884, 1R 4884, 2R 4884, 2R 5039, 2R 5142, Com. 5143, 3R 5146, ret. 11218, cons. amdts 11448, ad. rep. 11450, mes. 11450, assent 11537 Council: sso 5089, 1R 5089, 2R 11099, 2R 11116, Com. 11119, 3R 11122, ret. 11218, mes. 11493, assent 11493

- MOTOR ACCIDENTS (LIFETIME CARE AND SUPPORT) BILL (COGNATE): Council: sso 21758, 1r 21758, 2r 21904, 2r
  - 21919, Com. 21948, 3R 21968, mes. 22426, assent 22873
- Assembly: sso 21399, int. 21400, 1R 21400, 2R 21400, 2R 21663, Com. 21676, 3R 21680, ret. 22127, cons. amdts 22405, ad. rep. 22407, mes. 22407, assent 22983
- MOTOR VEHICLES REPAIRS (ANTI-STEERING) BILL: Assembly: int. 21827, 1R 21827, 2R 21827

NATIONAL COMPETITION POLICY AMENDMENTS (COMMONWEALTH FINANCIAL PENALTIES) BILL: Assembly: sso 6170, int. 6172, 1R 6172, 2R 6172, 2R 7070, 2R 7083, 2R 7329, 2R 7418, 2R 7484, 2R 7565, 2R 7733, 2R 7905, 2R 8245, sso 8254, withdrawn 8257

NATIONAL COMPETITION POLICY HEALTH AND OTHER AMENDMENTS (COMMONWEALTH FINANCIAL PENALTIES) BILL:

- Assembly: sso 8255, 2R 8257, 3R 8261, ret. 9960, cons. amdts 10148, ad. rep. 10150, mes. 10150, assent 10498
- Council: sso 8262, 1R 8262, 2R 8684, 2R 9693, Com. 9712, Com. 9752, Com. 9760, 3R 9765, mes. 10076, assent 10441

NATIONAL COMPETITION POLICY LIQUOR AMENDMENTS (COMMONWEALTH FINANCIAL PENALTIES) BILL:

- Assembly: sso 8255, 2R 8257, 3R 8261, ret. 9860, cons. amdts 10153, cons. amdts 10159, ad. rep. 10161, mes. 10161, assent 10498
- Council: sso 8262, 1R 8262, 2R 8333, 2R 8661, 2R 8682, 2R 9683, 2R 9715, 2R 9733, sso 9744, Com. 9744, 3R 9751, mes. 10076, assent 10441

NATIONAL PARK ESTATE (RESERVATIONS) BILL: (2002) Assembly: assent 25 Council: assent 5, mes. 6

- NATIONAL PARK ESTATE (RESERVATIONS) BILL: (2003)
- Assembly: sso 198, int. 199, 1R 199, 2R 199, 2R 392, 2R 584, 2R 1985, Com. 1994, ad. rep., 1007, 3R 2007, ret. 2717, assent 2942

Council: 1R 2009, sso 2009, 2R 2529, Com. 2550, 3R 2572, assent 2911

NATIONAL PARK ESTATE (RESERVATIONS) BILL: (2005)

Assembly: int. 16120, 1R 16120, 2R 16120, 2R 17123, 3R 17142, mes. 19231, cons. amdts 19344, ad. rep. 19344, mes. 19344, assent 20109

Council: sso 17067, 1R 17067, 2R 19103, 2R 19126, Com. 19140, 3R 19141, mes. 19264, assent 20023

NATIONAL PARKS AND WILDLIFE (ADJUSTMENT OF AREAS) BILL: (2005) Assembly: int. 14452, 1R 14452, 2R 14452, 2R 14743, 3R 14745, mes. 16020, assent 16427 Council: sso 14779, 1R 14779, 2R 15927, Com. 15932, 3R 15933, assent 16355 NATIONAL PARKS AND WILDLIFE (ADJUSTMENT OF AREAS) BILL: (2006) Assembly: sso 20699, int. 20728, 1R 20728, 2R 20728, 2R 22026, 2R 22106, 3R 22108, ret. 22174, assent 22362 Council: 1R 22041, sso 22041, 2R 22077, 3R 22089, assent 22315 NATIONAL PARKS AND WILDLIFE (FURTHER ADJUSTMENT OF AREAS) BILL: Assembly: sso 16903, sso 16938, sso 17089, int. 17143, 1R 17143, 2R 17143, 3R 17149, mes. 17537, assent 17593 Council: sso 17067, 1R 17067, 2R 17447, 3R 17453, assent 17539 NATIONAL PARKS AND WILDLIFE AMENDMENT (JENOLAN CAVES RESERVES) BILL: Assembly: int. 18046, 1R 18046, 2R 18046, 2R 18454, 3R 18463, mes. 19207, cons. amdts 19342, ad. rep. 19344, mes. 19344, assent 20109 Council: sso 18400, 1R 18400, 2R 18874, 2R 19009, Com. 19096, 3R 19103, mes. 19264, assent 20023 NATIONAL PARKS AND WILDLIFE AMENDMENT (JENOLAN CAVES RESERVE TRUST) BILL: Assembly: int. 9658, 1R 9658, 2R 9658, 2R 9830, 3R 9838, mes. 17550, mes. 17888 Council: sso 9752, 1R 9752 NATIONAL PARKS AND WILDLIFE AMENDMENT (KOSCIUSZKO NATIONAL PARK ROADS) BILL: Assembly: int. 4351, 1R 4351, 2R 4351, 2R 6221, 3R 6230, ret. 6873, assent 7623 Council: sso 6370, 1R 6370, 2R 6799, Com. 6807,

NATIONAL PARKS AND WILDLIFE AMENDMENT (QUARANTINE STATION) BILL: Assembly: int. 2826, 1R 2826, 2R 2826, 2R 3589, 2R 4031

3R 6808, assent 7547

NATIONAL PARKS AND WILDLIFE AMENDMENT (TELECOMMUNICATIONS FACILITIES) BILL:

Assembly: sso 1589, int. 1593, 1R 1593, 2R 1593, 2R 2092, 2R 2095, 3R 2101, ret. 2717, cons. amdts 2908, ad. rep. 2908, mes. 2908, assent 2942

Council: sso 2030, 1R 2030, 2R 2573, Com. 2579, 3R 2586, mes. 2814, assent 2911

NATIVE VEGETATION BILL (COGNATE):

- Assembly: int. 4890, 1R 4890, 2R 4890, 2R 5283, 3R 5310, cons. amdts 6137, ad. rep. 6153, mes. 6153, assent 6155
- Council: 1R 5214, sso 5214, 2R 5894, Com. 5952, ad. rep. 6018, 3R 6018, assent 6369, mes. 6370

NATURAL RESOURCES COMMISSION BILL (COGNATE):

- Assembly: int. 4890, 1R 4890, 2R 4890, 2R 5283, 3R 5310, cons. amdts 6137, ad. rep. 6153, mes. 6153, assent 6155
- Council: 1R 5214, sso 5214, 2R 5894, Com. 5952, ad. rep. 6018, 3R 6018, assent 6369, mes. 6370

NOXIOUS WEEDS AMENDMENT BILL:

- Assembly: int. 12546, 1R 12546, 2R 12546, sso 13192, 2R 13251, 2R 14143, 2R 14150, 2R 14463, 3R 14474, mes. 15270, cons. amdts 16036, ad. rep. 16036, mes. 16036, assent 16427
- Council: 1R 14155, sso 14155, sso 14402, 1R 14402, 2R 14442, 2R 14675, 2R 14941, 2R 14967, Com. 14967, Com. 15071, 3R 15074, mes. 16039, assent 16355

NSW SELF INSURANCE CORPORATION BILL:

- Assembly: sso 13192, int. 13295, 1R 13295, 2R 13295, 2R 13424, 3R 13425, ret. 13898, assent 13948
- *Council: sso* 13360, 1R 13360, 2R 13694, 3R 13696, *assent* 13901

NURSES AMENDMENT BILL:

Assembly: int. 1547, 1R 1547, 2R 1547, 2R 1707, 3R 1714, ret. 3387 Council: sso 1830, 1R 1830, 2R 3301, Com. 3308, 3R 3308, assent 3671

NURSES AND MIDWIVES AMENDMENT (PERFORMANCE ASSESSMENT) BILL (COGNATE): Assembly: int. 11991, 1r 11991, 2r 11991, 2r 12418, 3r 12429, ret. 13081, assent 13948 Council: sso 12441, 1r 12441, 2r 12940, 2r 12961, 3r 12972, assent 13901

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT (DANGEROUS GOODS) BILL (COGNATE): Assembly: sso 1589, int. 1590, 1r 1590, 2r 1590, 2r 2101, 3r 2107, ret. 2908, assent 2942 Council: sso 2030, 1r 2030, 2r 2805, 3r 2809, assent 2911

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT (PROSECUTIONS) BILL:

Assembly: 1R 5612, sso 5612, 2R 5630, 3R 5632, assent 6107

Council: int. 5532, 1R 5532, dec. urg. 5532 2R 5532, 3R 5537, ret. 5569, assent 5888

OCCUPATIONAL HEALTH AND SAFETY AMENDMENT (WORKPLACE DEATHS) BILL: Assembly: int. 16339, 1R 16339, 2R 16339, 2R 16444, 2R 16492, Com. 16501, 3R 16505, mes. 16905, cons. amdts 16948, ad. rep. 16949, mes. 16949, assent 17074 Council: sso 16529, 1R 16529, 2R 16539, 2R 16605, Com. 16619, ad. rep. 16626, 3R 16626, mes. 16868, assent 16975 PACIFIC POWER (DISSOLUTION) BILL: Assembly: sso 1589, int. 1597, 1R 1597, 2R 1597, 2R 1807, 3R 1812, ret. 2335, assent 2438 Council: 1R, 1830, sso 1830, 2R 2264, 3R 2269, assent 2377 PARLIAMENTARY ELECTORATES AND ELECTIONS AMENDMENT (JOINT PARLIAMENTARY COMMITTEE) BILL: Council: int. 465, 1R 944, 2R 944, 2R 3161, 2R 3411, 2R 3529, 2R 3819, 2R 4015, 2R 4459, withdrawn 4905 PARLIAMENTARY ELECTORATES AND ELECTIONS AMENDMENT (PROHIBITION ON VOTING BY **CRIMINALS) BILL:** Assembly: int. 7134, 1R 7134, 2R 7134, 2R 7558, 2r 7969, 2r 17471, 18185 PARLIAMENTARY ELECTORATES AND ELECTIONS AMENDMENT (VOTING AGE) BILL: Council: sso 16978, int. 16978, 1R 16978, 2R 16978, 2R 17686 PARLIAMENTARY SUPERANNUATION LEGISLATION AMENDMENT BILL: Assembly: sso 19699, int. 19701, 1R 19701, 2R 19701, sso 19831, 2R 19864, 3R 19864, ret. 20140, assent 20634 Council: sso 19780, 1R 19780, 2R 20036, 20056, 3R 20058, assent 20581 PARTNERSHIP AMENDMENT (VENTURE CAPITAL FUNDS) BILL: Assembly: int. 6748, 1R 6748, 2R 6748, 2R 6867, 3R 6869, ret. 7083, assent 7623 Council: sso 6919, 1R 6919, 2R 6959, 3R 6962, assent 7547 PASSENGER TRANSPORT AMENDMENT (BUS **REFORM) BILL:** Assembly: int. 8852, 1R 8852, 2R 8852, 2R 9237, 2R 9241, 3R 9255, ret. 9603, cons. amdts 10150, ad. rep. 10159, mes. 10159, assent 10498 Council: sso 9256, 1R 9256, 2R 9322, 2R 9326, Com. 9359, 3R 9368, mes. 10076, assent 10441 PASSENGER TRANSPORT AMENDMENT (MAINTENANCE OF BUS SERVICES) BILL: Assembly: sso 16683, int. 16691, 1R 16691, 2R 16691, 3R 16696, mes. 17526, sso 17526, cons. amdts 17527, ad. rep. 17536, mes. 17536, assent 17593 Council: sso 16627, 1R 16627, 2R 17415, Com. 17430, 3R 17437, assent 17539, mes. 17540

PAWNBROKERS AND SECOND-HAND DEALERS AMENDMENT BILL: Assembly: sso 16938, int. 16965, 1R 16965, 2R 16965, 3R 16966, mes. 17485, assent 17593 Council: sso 16867, 1R 16867, 2R 17378, 3R 17381, assent 17539 PAY-ROLL TAX AMENDMENT (SUPPORTING JOBS AND SMALL BUSINESS) BILL: Assembly: int. 18182, 1R 18182, 2R 18182, 2R 18578 Council: assent 5 PETROLEUM (SUBMERGED LANDS) AMENDMENT (PERMITS AND LEASES) BILL: Assembly: int. 16111, 1R 16111, 2R 16111, sso 16177, 2R 16187, 3R 16189, mes. 16880, assent 17074 Council: sso 16227, 1R 16227, 2R 16595, 3R 16599, assent 16975 PHARMACY PRACTICE BILL: Assembly: sso 23120, int. 23126, 1R 23126, 2R 23126 PHOTO CARD BILL: Assembly: sso 13525, int. 13546, 1R 13546, 2R 13546, 2R 15129, 3R 15135, mes. 15460, assent 15980 Council: sso 15058, 1R 15058, 2R 15254, 2R 15373, Com. 15378, 3R 15387, assent 15883 PIPELINES AMENDMENT BILL: Assembly: int. 23004, 1R 23004, 2R 23004 PODIATRISTS BILL: Assembly: int. 2717, 1R 2717, 2R 2717, 2R 3953, committed 3972, Com. 4701, ad. rep. 4705, 3R 4797, ret. 4879, assent 5576 Council: sso 4716, 1R 4716, 2R 4767, 2R 4781, 3R 4783, assent 5501 POLICE AMENDMENT (CRIME REDUCTION AND **REPORTING) BILL:** Assembly: int. 6302, 1R 6302, 2R 6302, 2R 6681, 2r 9026, 2r 11025, 2r 11816, 2r 12237, 2r 14609, 2r 14907 POLICE AMENDMENT (DEATH AND DISABILITY) BILL: Assembly: sso 20121, int. 20134, 1R 20134, 2R

20134, 2R 20173, 3R 20176, ret. 20377, assent 20634 Council: sso 20186, 1R 20186, 2R 20221, 3R

*Councut: sso* 20186, 1R 20186, 2R 20221, 3R 20227, *assent* 20581

Police Amendment (Senior Executive Transfers) Bill: *Assembly: int.* 9635, 1r 9635, 2r 9635, 2r 10173, 3r 10176, *assent* 11537

Council: sso 10089, 1R 10089, 2R 11146, 3R 11148, ret. 11218, assent 11493

POLICE ASSOCIATION EMPLOYEES (SUPERANNUATION) AMENDMENT BILL: Assembly: int. 3952, 1R 3952, 2R 3952, sso 4100, 2R 4100, 3R 4100, assent 4635 Council: 1R 4123, sso 4123, 2R 4169, 3R 4170, assent 4569 POLICE INTEGRITY COMMISSION AMENDMENT BILL Assembly: sso 11034, int. 11034, 1R 11034, 2R 11034, 2R 12169, 3R 12177, mes. 14355, assent 14701 Council: sso 12083, 1R 12083, 2R 14266, 3R 14273, assent 14671 POLICE INTEGRITY COMMISSION AMENDMENT (REPORTS) BILL: Assembly: int. 1470, 1R 1470, 2R 1470, 2R 2276, 2R 20955 POLICE INTEGRITY COMMISSION AMENDMENT (SHAW INVESTIGATION) BILL: Assembly: int. 14203, 1R 14203, 2R 14203 POLICE LEGISLATION AMENDMENT (CIVIL LIABILITY) BILL: Assembly: int. 4971, 1R 4971, 2R 4971, 2R 5023, 3R 5026, ret. 5189, assent 5576 Council: sso 5061, 1R 5061, 2R 5102, 3R 5106, assent 5501 POLICE POWERS (DRUG DETECTION IN BORDER AREAS TRIAL) BILL: Assembly: 1R 2609, sso 2686, 2R 2694, 3R 2705, assent 2942 Council: int. 2042, 1R 2042, 2R 2042, 2R 2419, 3R 2425, ret. 2601, assent 2911 POULTRY MEAT INDUSTRY AMENDMENT (PREVENTION OF NATIONAL COMPETITION POLICY PENALTIES) BILL: Assembly: 1R 16528, sso 17089, 2R 17289, 3R 17296, assent 17593 Council: int. 16102, 1R 16102, 2R 16102, 2R 16385, Com. 16394, 3R 16395, mes. 17172, assent 17539 POWERS OF ATTORNEY BILL: Assembly: int. 3237, 1R 3237, 2R 3237, 2R 3362, 3R 3367, ret. 3953, assent 4197 Council: 1R 3309, sso 3309, 2R 3845, 3R 3847, assent 4123 PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL: Assembly: int. 12400, 1R 12400, 2R 12400, 2R 14819, Com. 14825, 3R 14826, ret. 16177, cons. amdts 17296, ad. rep. 17297, mes. 17297, assent 17593 Council: sso 14779, 1R 14779, 2R 15853, 15869, 2R 16082, Com. 16083, 3R 16090, mes. 17172, assent 17539

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (PENALTIES) BILL: Assembly: int. 3650, 1R 3650, 2R 3650, 2R 3779, 3R 3788, ret. 3972, assent 4197 Council: 1R 3789, sso 3789, 2R 3856, 3R 3859, assent 4123 PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (TAIL DOCKING) BILL: Assembly: 1R 7505, sso 8075, 2R 8075, 2R 8094, 3R 8101, assent 8201 Council: int. 6933, 1R 6933, 2R 6933, 2R 7395, 3R 7409, ret. 8139, assent 8139 PRISONERS (INTERSTATE TRANSFER) AMENDMENT BILL: Assembly: int. 14815, 1R 14815, 2R 14815, 2R 15460, mes. 15980, assent 15980 Council: sso 15483, 1R 15483, 2R 15836, 2R 15851, 3R 15853, assent 15883 PRIVACY AND PERSONAL INFORMATION **PROTECTION AMENDMENT BILL:** Assembly: int. 4106, 1R 4106, 2R 4106, 2R 4400, 3R 4416, withdrawn 10499 Council: 1R 4321, sso 4321, 2R 4766, withdrawn 10388, mes. 10388 PRIVACY AND PERSONAL INFORMATION **PROTECTION AMENDMENT (PRISONERS) BILL:** Assembly: assent 25 Council: assent 5 PROFESSIONAL STANDARDS AMENDMENT BILL: Assembly: int. 10628, 1R 10628, 2R 10628, 2R 11680, 3R 11681, ret. 11985, assent 12373 Council: sso 11629, 1R 11629, 2R 11909, 3R 11911, assent 12307 **PROPERTY LEGISLATION AMENDMENT BILL:** Assembly: sso 17845, int. 17859, 1R 17859, 2R 17859, 2R 18131, 3R 18133, mes. 18439, assent 19052 Council: sso 18134, 1R 18134, 2R 18286, 3R 18290, assent 18963 PROPERTY, STOCK AND BUSINESS AGENTS AMENDMENT BILL: Assembly: sso 19208, int. 19221, 1R 19221, 2R 19221, 2R 20821, Com. 20829, 3R 20831, mes. 21133, assent 21536

*Council*: 1R 20901, *sso* 20901, 2R 21022, 3R 21030, *assent* 21461

- PROTECTED ESTATES AMENDMENT (MISSING PERSONS) BILL:
- Assembly: int. 11683, 1R 11683, 2R 11683, 2R 12104, 3R 12112, ret. 12779, assent 13387
- Council: sso 12036, 1R 12036, 2R 12702, 3R 12709, assent 13309

PROTECTION OF AGRICULTURAL PRODUCTION (RIGHT TO FARM) BILL: Assembly: int. 14905, 1R 14905, 2R 14905, 2R 20515, 2R 21384, sso 21835, 2R 21835, sso 22130, 2r 22256, 2r 22628 PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT BILL: Assembly: int. 17641, 1R 17641, 2R 17641, 2R 18046, Com. 18113, ad. rep. 18119, 3R 18119, mes. 19385, cons. amdts. 19814, ad. rep. 19816, mes. 19816, assent 20109 Council: sso 18134, 1R 18134, 2R 19141, Com. 19264, 3R 19275, mes. 19746, assent 20023 **PROTECTION OF THE ENVIRONMENT OPERATIONS** AMENDMENT (WASTE REDUCTION) BILL: Council: sso 22058, 1R 22058, 2R 22728, 2R 22732, 3R 22739 Assembly: int. 21225, 1R 21225, 2R 21225, 2R 22030, 2R 22111, 3R 22122, ret. 22826 PUBLIC FINANCE AND AUDIT AMENDMENT (COSTING OF ELECTION PROMISES) BILL: Assembly: assent 25 Council: assent 5 Assembly: int. 11023, 1R 11023, 2R 11203, 2R 11402, 19945 PUBLIC LOTTERIES LEGISLATION AMENDMENT BILL: Assembly: int. 6237, 1R 6237, 2R 6237, 2R 7010, 3R 7014, ret. 7348, assent 7687 Council: sso 6919, 1R 6919, 2R 7264, 3R 7268, assent 7625 PUBLIC SECTOR EMPLOYMENT AND MANAGEMENT AMENDMENT (ETHANOL BLENDED FUEL) BILL: Assembly: int. 17841, 1R 17841, 2R 17841, 2R 18180. 2R 23084 PUBLIC SECTOR EMPLOYMENT AND MANAGEMENT AMENDMENT (EXTENDED LEAVE) BILL: Assembly: int. 18445, 1R 18445, 2R 18445, 2R 18910, 3R 18914, ret. 19384, assent 20109 Council: 1R 18833, sso 18833, 2R 19276, 3R 19278, assent 20023 PUBLIC SECTOR EMPLOYMENT LEGISLATION AMENDMENT BILL (COGNATE): Assembly: sso 21116, int. 21148, 1R 21148, 2R 21148, 3R 21166, sso 21421, ret. 21454, assent 21536 Council: 1R 21095, sso 21095, 2R 21169, 2R 21202, Com. 21372, 3R 21373, assent 21461 **QUARANTINE STATION PRESERVATION TRUST BILL:** (2003)

Council: int. 469, 1R 469, 2R 469, 2R 952, 2R 973, 2r 2732

**QUARANTINE STATION PRESERVATION TRUST BILL:** (LEGISLATIVE ASSEMBLY BILL)

Assembly: int. 3172, 1R 3172, 2R 3172, withdrawn 6306

**QUARANTINE STATION PRESERVATION TRUST BILL:** (LEGISLATIVE COUNCIL BILL) Assembly: 1R 5437, 2R 9015, sso 9020, 2R 9020 Council: Com. 4016, Com. 4462, 3R 4474

**REDFERN-WATERLOO AUTHORITY BILL:** 

Assembly: int. 12740, 1R 12740, 2R 12740, 2R 13036, sso 13192, 2R 13272, Com. 13274, Com. 13275, ad. rep. 13292, 3R 13294, ret. 13882, cons. amdts 13883, ad. rep. 13887, mes. 13887, assent 13948

Council: sso 13309, 1R 13309, 2R 13362, 2R 13445, 2R 13468, Com. 13626, Com. 13659, ad. rep. 13664, 3R 13664, mes. 13726, assent 13901

**REGIONAL DEVELOPMENT BILL:** Assembly: int. 8495, 1R 8495, 2R 8495, 2R 9375, 3R 9386, assent 10498, ret. 10498 Council: sso 9277, 1R 9277, 2R 10262, 2R 10293, Com. 10314, 3R 10316, assent 10441

**REGISTERED CLUBS AMENDMENT BILL:** Assembly: int. 5018, 1R 5018, 2R 5018, 2R 5158,

3R 5188, ret. 5730, cons. amdts. 5736, ad. rep., 5758, mes. 5758, assent 6155 Council: 1R 5190, sso 5190, 2R 5539, Com. 5554,

3R 5557, mes. 5666, assent 6369

REGISTERED CLUBS LEGISLATION AMENDMENT BILL: Assembly: int. 10686, 1R 10686, 2R 10686, 2R 10895, 2r 10956, 2r 10970, 2r 11298, 2r 11324, Com. 11344, ad. rep. 11347, 3R 11971, mes. 17550, mes. 17888 Council: sso 11937, 1R 11937, 2R 12225

**RESEARCH INVOLVING HUMAN EMBRYOS (NEW** SOUTH WALES) BILL (COGNATE):

Assembly: int. 850, 1R 850, 2R 850, 2R 1620, 2R 1638, 2R 1690, 3R 1694, ret. 2335, cons. amdts 2475, ad. rep. 2478, mes. 2478, mes. 2608, assent 2942

Council: sso 1830, 1R 1830, 2R 2064, 2R 2186, Com. 2217, ad. rep., 2221, 3R 2224, mes. 2425, cons. amdts 2428, ad. rep., 2431, mes. 2431, assent 2911

**RESIDENTIAL PARKS AMENDMENT (STATUTORY REVIEW) BILL:** 

Assembly: sso 19208, int. 19225, 1R 19225, 2R 19225, sso 20121, 2R 20161, Com. 20172, 3R 20173, ret. 20564, assent 20634

Council: 1R 20208, sso 20208, 2R 20404, 2R 20428, Com. 20433, 3R 20439, assent 20581

PUBLIC LANDS PROTECTION BILL:

**RESIDENTIAL TENANCIES AMENDMENT (PUBLIC** HOUSING) BILL: (2004) Assembly: sso 9640, int. 9640, 1R 9640, 2R 9640, 2R 9800, 3R 9811, assent 10498, ret. 10498 Council: 1R 9714, sso 9714, 2R 10316, 2R 10362, 2R 10375, Com. 10379, 3R 10386, assent 10441 **RESIDENTIAL TENANCIES AMENDMENT (SOCIAL** HOUSING) BILL: Assembly: int. 18441, 1R 18441, 2R 18441, 2R 18759, Com. 18769, 3R 18770, mes. 18952, cons. amdts 18953, ad. rep. 18953, mes. 18953, assent 19169 Council: sso 18697, 1R 18697, 2R 18804, 2R 18833, Com. 18844, 3R 18851, mes. 18873, assent 19093 **RETAIL LEASES AMENDMENT BILL: (2004)** Assembly: 1R 11695, sso 12113, 2R 12113, 3R 12122, assent 12373 Council: int. 10387, 1R 10387, 2R 10387, 2R 11511, 2R 11529, Com. 11531, ad. rep. 11531, 3R 11606, ret. 12059, assent 12307 **RETAIL LEASES AMENDMENT BILL: (2005)** Assembly: int. 18905, 1R 18905, 2R 18905, 2R 19330, Com. 19339, 3R 19342, ret. 19695, assent 20109 Council: sso 19264, 1R 19264, 2R 19592, 3R 19600. assent 20023 **RETIREMENT VILLAGES AMENDMENT BILL:** Assembly: int. 6566, 1R 6566, 2R 6566, 2R 7056, 3R 7070, ret. 7348, assent 7687 Council: 1R 6976, sso 6976, 2R 7269, 3R 7275, assent 7625 RICE MARKETING AMENDMENT (PREVENTION OF NATIONAL COMPETITION POLICY PENALTIES) BILL: Assembly: sso 19385, int. 19388, 1R 19388, 2R 19388, 2R 19792, 3R 19803, ret. 19887, assent 20109 Council: 1R 19733, sso 19733, 2R 19757, 2R 19761, Com. 19775, 3R 19779, assent 20023 ROADS AMENDMENT (TRANSFER OF CROWN ROADS) BILL: Assembly: int. 5437, 1R 5437, 2R 5437, 2R 8571 **ROAD TRANSPORT EFFICIENCY BILL:** Assembly: int. 3583, 1R 3583, 2R 3583, 2R 6307, 2r 6686 ROAD TRANSPORT (GENERAL) BILL: Assembly: sso 13525, int. 13542, 1R 13542, 2R 13542, 2R 14826, Com. 14831, 3R 14832, mes. 15270, assent 15409 Council: sso 14939, 1R 14939, 2R 15049, 2R 15074, 3R 15077, assent 15337

ROAD TRANSPORT (GENERAL) AMENDMENT (LICENCE SUSPENSION) BILL: Assembly: sso 9452, int. 9461, 1R 9461, 2R 9461, 2R 9583, 3R 9598, assent 10498, ret. 10498 Council: 1R 9502, sso 9502, 2R 10255, 3R 10262, assent 10441 ROAD TRANSPORT LEGISLATION AMENDMENT (PUBLIC TRANSPORT LANES) BILL: Assembly: int. 5760, 1R 5760, 2R 5760, 2R 7326, 3R 7329, ret. 7878, assent 8201 Council: 1R 7349, sso 7349, 2R 7784, 3R 7790, assent 8139 ROAD TRANSPORT LEGISLATION (SPEED LIMITERS) AMENDMENT BILL: Assembly: int. 13544, 1R 13544, 2R 13544, 2R 16179, 3R 16185, mes. 16659, assent 17074 Council: sso 16227, 1R 16227, 2R 16395, 2R 16538, 3R 16538, assent 16975 ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT (ALCOHOL) BILL: Assembly: int. 5758, 1R 5758, 2R 5758, 2R 6239, 2R 6631, 2R 6882, 3R 6895, ret. 7322, cons. amdts 7484, assent 7687 Council: sso 6919, 1R 6919, 2R 7226, Com. 7233, Com. 7247, 3R 7248, mes. 7506, assent 7625 ROAD TRANSPORT (VEHICLE REGISTRATION) AMENDMENT BILL: Assembly: assent 25 Council: assent 5 **ROOKWOOD NECROPOLIS AMENDMENT BILL:** Assembly: sso 13192, int. 13296, 1R 13296, 2R 13296, 3R 13298, ret. 13420, cons. amdts 13443, ad. rep. 13443, mes 13443, assent 13948 Council: sso 13309, 1R 13309, 2R 13321, 2R 13345, Com. 13346, 3R 13348, mes. 13380, assent 13901

ROYAL BLIND SOCIETY (CORPORATE CONVERSION) BILL:
Assembly: int. 4107, 1R 4107, 2R 4107, 2R 4248, 3R 4251, ret. 4395, assent 5049
Council: sso 4265, 1R 4265, 2R 4269, 3R 4272, assent 5061
ROYAL BLIND SOCIETY (MERGER) BILL:
Assembly: int. 18888, 1R 18888, 2R 18888, 2R 19342, 3R 19342, ret. 19638, assent 20109

Council: sso 19264, 1R 19264, 2R 19470, 3R 19471, assent 20023

ROYAL REHABILITATION CENTRE SYDNEY SITE PROTECTION BILL: Assembly: int. 20954, 1r 20954, 2r 20954, 2r 21380

RURAL COMMUNITIES IMPACTS BILL: Assembly: int. 10759, 1r 10759, 2r 10759, 2r 11021, 2r 18189, 2r 18580, 2r 19492, 2r 19942, 2r 20507 **RURAL LANDS PROTECTION AMENDMENT BILL:** Assembly: int. 110, 1R 110, 2R 110, 2R 597, 3R 602, ret. 943, assent 1497 Council: 1R 619, sso 619, 2R 679, 2R 818, Com. 818, 3R 820, assent 1434 RURAL WORKERS ACCOMMODATION AMENDMENT BILL: Assembly: int. 16032, 1R 16032, 2R 16032, 2R 16505, Com. 16513, ad.rep. 16514, 3R 16515, mes. 16880, assent 17074 Council: sso 16529, 1R 16529, 2R 16574, Com. 16581, ad. rep. 16583, 3R 16583, assent 16975 SAVE ORANGE GROVE BILL: Assembly: int., 10759, 2R 19026, 2R 19479 Council: sso 10561, int. 10561, 1R 10561, 2R 10561, sso 10580, 2R 10582, 3R 10607 SECURITY INDUSTRY AMENDMENT BILL: Assembly: sso 17089, int. 17116, 1R 17116, 2R 17116, 3R 17122, mes. 17526, assent 17593 Council: sso 17067, 1R 17067, 2R 17437, 3R 17447, assent 17539 SECURITY INDUSTRY AMENDMENT (PATRON **PROTECTION) BILL:** Council: int. 23048, 1R 23048, 2R 23048 SECURITY INTERESTS IN GOODS BILL: Assembly: sso 17845, int. 17854, 1R 17854, 2R 17854, 2R 18127, 3R 18131, mes. 18439, assent 19052 Council: sso 18134, 1R 18134, 2R 18281, 3R 18286, assent 18963 SHERIFF BILL: Assembly: int. 14074, 1R 14074, 2R 14074, 2R 14458, 3R 14460, mes. 14551, assent 14701 Council: sso 14402, 1R 14402, 2R 14438, 3R 14440, assent 14671 SHOPS AND INDUSTRIES AMENDMENT (SPECIAL SHOP CLOSURES) BILL: (2004) Assembly: int. 12542, 1R 12542, 2R 12542, 2R 13022, 3R 13035, ret. 13443, assent 13948 Council: sso 12960, 1R 12960, 2R 13353, 3R 13359, assent 13901 SHOPS AND INDUSTRIES AMENDMENT (SPECIAL SHOP CLOSURES) BILL: (2005) Assembly: sso 19208, int. 19219, 1R 19219, 2R 19219, sso 19385, 2R 19399, 3R 19404, ret. 19682, assent 20109 Council: sso 19312, 1R 19312, 2R 19586, 3R 19589, assent 20023 **SMOKE-FREE ENVIRONMENT AMENDMENT BILL:** Assembly: int. 12095. 1R 12095. 2R 12095. 2R 12903, Com. 12920, ad. rep. 12923, 3R 13036, ret. 13420, cons. amdts 13546, ad. rep. 13546, mes. 13546, assent 13948 Council: sso 12960, 1R 12960, 2R 13004, 2R 13154, Com. 13176, Com. 13312, 3R 13320, mes. 13467, assent 13901

SMOKE-FREE ENVIRONMENT AMENDMENT (MOTOR VEHICLE PROHIBITION) BILL: *Council: int.* 16981, 1r 16981, 2r 16981, 2r 20647, 2r 20672
SMOKE-FREE ENVIRONMENT AMENDMENT (REMOVAL OF EXEMPTIONS) BILL: *Council: int.* 21248, 1p 21248, 2p 21248, 2p

Council: int. 21348, 1R 21348, 2R 21348, 2R 21760, 2R 22221, 2R 22344, 2R 23023 SNOWY MOUNTAINS CLOUD SEEDING TRIAL BILL:

Assembly: 1R 7749, 2R 8047, 3R 8050, assent 8201 Council: int. 7391, 1R 7391, 2R 7391, 2R 7632, 2R 7652, Com. 7662, 3R 7666, ret. 8139, assent 8139

SPECIAL COMMISSION OF INQUIRY (JAMES HARDIE RECORDS) BILL:
Assembly: sso 11552, int. 11552, 1R 11552, 2R 11552, sso 11605, 2R 11671, 3R 11677, ret. 11735, assent 11944
Council: 1R 11606, sso 11606, 2R 11607, 2R

11660, 3R 11664, assent 11871

SPECIAL COMMISSION OF INQUIRY (JAMES HARDIE RECORDS) AMENDMENT BILL:
Assembly: sso 13399, int. 13401, 1R 13401, 2R 13401, 3R 13404, ret. 13426, assent 13948
Council: 1R 13344, sso 13344, 2R 13348, 3R 13353, assent 13901

SPORTING VENUES (OFFENDERS BANNING ORDERS) BILL:

Assembly: int. 17633, 1R 17633, 2R 17633, sso 17845, 2R 17846, 3R 17854, mes. 18113 Council: 1R 17814, sso 17814, 2R 18032, 3R

18035, assent 18246

SPORTING VENUES (PITCH INVASIONS) BILL:
Assembly: sso 3217, int. 3217, 1R 3217, 2R 3217, sso 3235, 2R 3235, 3R 3236, ret. 3362
Council: 1R 3261, sso 3261, 2R 3295, Com. 3299, 3R 3301, assent 3671

STANDARD TIME AMENDMENT (CO-ORDINATED UNIVERSAL TIME) BILL:
Assembly: int., 14076, 1R 14076, 2R 14076, 2R 14460, 3R 14463, mes. 14551, assent 14701, mes. 18512
Council: int. 14402, 1R 14402, 2R 14440, 3R 14441, assent 14671

STANDARD TIME AMENDMENT (DAYLIGHT SAVING) BILL:

Assembly: int. 17634, 1R 17634, 2R 17634, 2R 18120, Com. 18122, 3R 18123, assent 19052

Council: sso 18134, 1R 18134, 2R 18414, 3R 18416, assent 18963

STATE ARMS, SYMBOLS AND EMBLEMS BILL: Assembly: sso 979, int. 979, 1R 979, 2R 980, 1R 4237, 2R 4237, 2R 5441, 2R 6692, 3R 6695, assent 6825

Council: 2R 3414, 2R 3534, 2R 3549, Com. 3567, Com. 3834, 3R 3835, ret. 6655, assent 6769

STATE EMERGENCY AND RESCUE MANAGEMENT AMENDMENT BILL: Assembly: sso 18221, int. 18221, 1R 18221, 2R 18221, 2R 18463, 3R 18464, mes. 18952, assent 19169 Council: sso 18400, 1R 18400, 2R 18695, 18851, 3R 18853, assent 19093 STATE EMERGENCY SERVICE AMENDMENT BILL: Assembly: sso 19208, int. 19212, 1R 19212, 2R 19212, sso 19385, 2R 19404, 3R 19411, ret. 19638, assent 20109 Council: 1R 19435, sso 19435, 2R 19464, 3R 19470, assent 20023 **STATE PROPERTY AUTHORITY BILL:** Assembly: int. 23012, 1R 23012, 2R 23012 STATE RECORDS AMENDMENT BILL: Assembly: int. 11470, 1R 11470, 2R 11470, 2R 12550, 3R 12558, mes. 14355, assent 14701 Council: sso 12466, 1R 12466, 2R 14273, 2R 14293, Com. 14298, 3R 14303, assent 14671 STATE REVENUE LEGISLATION AMENDMENT BILL: (2003)Assembly: int. 1939, 1R 1939, 2R 1939, 2R 1952, 2R 2283, 3R 2290, assent 2942, ret. 2942 Council: 1R 2206, dec. urg. 2206, 2R 2809, 3R 2812, assent 2911 STATE REVENUE LEGISLATION AMENDMENT BILL: (2004)Assembly: int. 8630, 1R 8630, 2R 8630, sso 8736, 2R 8743, Com. 8761, 3R 8767, ret. 9079, assent 9177 Council: 1R 8790, sso 8790, 2R 8826, 2R 8955, 2R 8972, Com. 8996, 3R 9003, assent 9111 STATE REVENUE LEGISLATION AMENDMENT BILL: (2005)Assembly: int. 16949, 1R 16949, 2R 16949, 2R 17097, Com. 17102, ad. rep. 17103, 3R 17104, mes. 17347, assent 17593 Council: sso 17067, 1R 17067, 2R 17188, Com. 17194, ad. rep. 17196, 3R 17196, assent 17539 STATE REVENUE LEGISLATION AMENDMENT (BUDGET MEASURES) BILL: Assembly: sso 15779, int. 15965, 1R 15965, 2R 15965, sso 16138, 2R 16270, sso 16643, 2R 16643, 3R 16650, mes. 16944, assent 17074 Council: 1R 16558, sso 16559, 2R 16818, Com. 16823, 3R 16826, assent 16975 STATE REVENUE LEGISLATION FURTHER AMENDMENT BILL: (2003) Assembly: int. 5026, 1R 5026, 2R 5026, 2R 5146, 3R 5147, ret. 5369, assent 5786 Council: sso 5089, 1R 5089, 2R 5245, 3R 5248,

assent 5689

 STATE REVENUE LEGISLATION FURTHER AMENDMENT BILL: (2004)
 Assembly: int. 10036, 1R 10036, 2R 10036, Com. 10053, 3R 10056, assent 10498, ret. 10498
 Council: 1R 10062, dec. urg. 10062, 2R 10404, Com. 10413, 3R 10415, assent 10441
 STATE REVENUE LEGISLATION FURTHER

AMENDMENT BILL: (2005) Assembly: sso 19699, int. 19703, 1R 19703, 2R 19703, sso 19831, 2R 19864, 3R 19870, ret. 20156, assent 20634

*Council: sso* 19780, 1R 19780, 2R 20058, 3R 20064, *assent* 20581

STATE WATER CORPORATION BILL:

Assembly: int. 8949, 1R 8949, 2R 8949, 2R 9398, 2R 9454, Com. 9458, 3R 9461, ret. 2014, cons. amdts 10216, ad. rep. 10217, mes. 10217, assent 10498

Council: 1R 9534, sso 9534, 2R 9943, 2R 10062, 2R 10076, Com. 10079, Com. 10090, 3R 10098, mes. 10241, assent 10441

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL: (2003)

Assembly: sso 1589, int. 1599, 1R 1599, 2R 1599, 2R 1806, Com. 1807, 3R 1807, ret. 2907, assent 2942

Council: sso 1830, 1R 1830, 2R 2784, 3R 2789, assent 2911

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO. 2): (2003)

Assembly: int. 5022, 1R 5022, 2R 5022, 2R 5155, 3R 5156, ret. 5499, assent 5786

*Council: sso* 5106, 1R 5106, 2R 5224, 2R 5429, 3R 5429, *assent* 5689

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL: (2004)

Assembly: sso 9452, int. 9464, 1R 9464, 2R 9464, 2R 9464, 2R 9602, 3R 9603, ret. 10176, assent 10498

Council: sso 9502, 1R 9502, 2R 10080, 3R 10083, assent 10441

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO. 2): (2004)

Assembly: sso 13192, int. 13301, 1R 13301, 2R 13301, 2R 13423, 3R 13424, ret. 13591, assent 13948

*Council: sso* 13360, 1R 13360, 2R 13360, 3R 13362, *assent* 13901

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL: (2005)

Assembly: int. 16698, 1R 16698, 2R 16698, sso 16938, 2R 16949, 3R 16949, mes. 17347, sso 17526, cons. amdts 17531, ad. rep. 17536, mes. 17536, assent 17593

Council: sso 16867, 1R 16867, 2R 17172, 2R 17187, Com. 17188, 3R 17188, assent 17539, mes. 17540

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL No. 2: (2005) Assembly: sso 19208, sso 19385, int. 19391, 1R 19391, 2R 19391, 3R 19392, ret. 19695, cons. amdts 19816, ad. rep. 19817, mes. 19817, assent 20109 Council: sso 19312, 1R 19312, 2R 19600, Com. 19602, 3R 19604, mes. 19746, assent 20023 STOCK DISEASES AMENDMENT (ARTIFICIAL **BREEDING) BILL:** Assembly: int. 8045, 1R 8045, 2R 8045, 2R 8426, 3R 8433, ret. 9255, assent 9811 Council: sso 8267, 1R 8267, 2R 9145, 3R 9153, assent 9679 STOCK DISEASES AMENDMENT (FALSE **INFORMATION) BILL:** Assembly: int. 7200, 1R 7200, 2R 7200, sso 7416, 2R 7421, 3R 7432, ret. 7712, assent 8201 Council: 1R 7368, sso 7368, 2R 7626, 3R 7632, assent 8139 **STOCK MEDICINES AMENDMENT BILL:** Assembly: sso 11034, int. 11035, 1R 11035, 2R 11035, 2R 12164, 3R 12169, ret. 13081, assent 13387 Council: sso 12083, 1R 12083, 2R 12974, 3R 12981, assent 13309 STRATA SCHEMES MANAGEMENT AMENDMENT BILL: Assembly: int. 6089, 1R 6089, 2R 6089, 2R 6545, Com. 6564, 3R 6613, ret. 7083, assent 7623 Council: sso 6636, 1R 6636, 2R 6966, 2R 6973, 3R 6976, assent 7547 SUMMARY OFFENCES AMENDMENT (DISPLAY OF SPRAY PAINT CANS) BILL: Assembly: int. 23005, 1R 23005, 2R 23005 SUMMARY OFFENCES AMENDMENT (SPRAY PAINT CANS) BILL: Assembly: assent 25 Council: assent 5 SUPERANNUATION ADMINISTRATION AMENDMENT BILL . Assembly: int. 6088, 1R 6088, 2R 6088M 2R 6219, 3R 6221, ret. 7083, assent 7623 Council: sso 6370, 1R 6370, 2R 6962, 3R 6966, assent 7547 SUPERANNUATION LEGISLATION AMENDMENT BILL Assembly: int. 12543, 1R 12543, 2R 12543, 2R 13438, 3R 13439, mes. 16880, cons. amdts 17297, ad. rep. 17297, mes. 17297, assent 17593 Council: 1R 13380, sso 13380, 2R 16589, Com. 16592, 3R 16595, mes. 17172, assent 17539

SUPERANNUATION LEGISLATION AMENDMENT (FAMILY LAW) BILL: Assembly: int. 4883, 1R 4883, 2R 4883, 2R 5038, 3R 5039, ret. 5189, assent 5576 Council: sso 5061, 1R 5061, 2R 5109, 3R 5115, assent 5501 SURVEYING AMENDMENT BILL: Assembly: int. 16035, 1R 16035, 2R 16035, sso 16177, 2R 16193, 3R 16195, mes. 16880, cons. amdts 17298, ad. rep. 17298, mes. 17298, assent 17593 Council: sso 16227, 1R 16227, 2R 16569, Com. 16572, 3R 16574, mes. 17172, assent 17539 SUSTAINABLE ENERGY DEVELOPMENT REPEAL BILL (COGNATE): Assembly: int. 9787, 1R 9787, 2R 9787, 2R 9800, sso 9969, 2R 9969, sso 10033, 2R 10035, 3R 10035, assent 10498, ret. 10498 Council: 1R 10061, sso 10061, 2R 10389, Com. 10402, 3R 10404, assent 10441 SYDNEY 2009 WORLD MASTERS GAMES ORGANISING COMMITTEE BILL: Assembly: int. 16111, 1R 16111, 2R 16111, 2R 16696, 3R 16697, mes. 17537, assent 17593 Council: sso 16627, 1R 16627, 2R 17394, 2R 17410, 3R 17414, assent 17539 SYDNEY OPERA HOUSE TRUST AMENDMENT BILL (COGNATE): Assembly: int. 9851, 1R 9851, 2R 9851, 3R 9859, ret. 10214. assent 10498 Council: 1R 9766, sso 9766, 2R 10112, 3R 10118, assent 10441 SYDNEY UNIVERSITY SETTLEMENT INCORPORATION AMENDMENT BILL: Assembly: 1R 16938, sso 16938, sso 16938, 2R 16946, 3R 16948, assent 17074 Council: sso 16252, int. 16252, 1R 16252, 2R 16252, sso 16559, 2R 16559, Com. 16563, 3R 16565, mes. 16868, assent 16975 SYDNEY WATER AMENDMENT (WATER **RESTRICTIONS) BILL:** Assembly: sso 3935, int. 3936, 1R 3936, 2R 3936, 3R 4155, assent 4509 Council: 1R 3859, sso 3859, 2R 3859, 2R 4125, 2R 4150, Com. 4153, 3R 4255, ret. 4237, assent 4452 SYDNEY WATER CATCHMENT MANAGEMENT AMENDMENT BILL: Assembly: int. 4350, 1R 4350, 2R 4350, 2R 4706, 3R 4709, ret. 4869, assent 5576 Council: sso 4716, 1R 4716, 2R 4753, 3R 4757, assent 5501 **TEACHING SERVICES AMENDMENT BILL:** Assembly: sso 11986, int. 11986, 1R 11986, 2R 11986, 2R 12416, 3R 12418, ret. 13899, assent 13948 Council: 1R 12349, sso 12349, 2R 13796, 3R

13802, assent 13901

TECHNICAL AND FURTHER EDUCATION COMMISSION AMENDMENT (STAFF) BILL: Assembly: sso 19208, int. 19208, 1R 19208, 2R 19208, 2R 19693, 3R 19695, ret. 19855, assent 20109 Council: 1R 19708, sso 19708, 2R 19755, 3R 19757, assent 20023 TERRORISM LEGISLATION AMENDMENT (WARRANTS) BILL: Assembly: sso 16938, int. 16940, 1R 16940, 2R 16940, 2R 16944, 3R 16946, mes. 17318, assent 17593 Council: sso 16867, 1R 16867, 2R 17153, 3R 17172, assent 17539 **TERRORISM (POLICE POWERS) AMENDMENT** (PREVENTATIVE DETENTION) BILL: Assembly: sso19983, int. 20008, 1R 20008, 2R 20008, 2R 20313, Com. 20344, 3R 20346, mes. 20427, ret. 20505, cons. amdts 20519, ad. rep. 20520, mes. 20520, assent 20634 Council: 1R 20237, sso 20237, 2R 20246, Com. 20298, 3R 20306, protest 20440, assent 20581 THE SYNOD OF EASTERN AUSTRALIA PROPERTY AMENDMENT BILL: Assembly: int., 6236, 1R 6236, 2R 6236, 3R 6569, ret. 6895, assent 7623 Council: sso 6636, 1R 6636, 2R 6811, 3R 6816, assent 7547 THOROUGHBRED RACING LEGISLATION AMENDMENT BILL: Assembly: int. 7197, 1R 7197, 2R 7197, sso 7416, 2R 7432, 3R 7440, ret. 7878, assent 8201 Council: 1R 7377, sso 7377, 2R 7791, 3R 7794, assent 8139 THREATENED SPECIES LEGISLATION AMENDMENT BILL Assembly: int. 10621, 1R 10621, 2R 10621, 2R 11354, 2R 11581, Com. 11601, Com. 11687, 3R 11695, ret. 12737, cons. amdts 12923, ad. rep. 12937, mes. 12937, assent 13387 Council: 1R 11660. sso 11660. 2R 11912. 2R 12060, Com. 12349, Com. 12442, Com. 12480, Com. 12527, 3R 12527, mes. 12938, assent 13309 TOTALIZATOR LEGISLATION AMENDMENT BILL: Assembly: 1R 6060, 2R 6082, 3R 6085, assent 6155 Council: int. 5250, 1R 5250, 2R 5250, 2R 5709, Com. 5714, 3R 5720, ret. 5888, assent 6369 TOTALIZATOR LEGISLATION AMENDMENT (INTER-JURISDICTIONAL PROCESSING OF BETS) BILL: Assembly: sso 22408, int. 22413, 1R 22413, 2R 22413, 2r 22989, 3r 22993 Council: 1R 22901, sso 22901

TRANSPORT ADMINISTRATION AMENDMENT (NEW SOUTH WALES AND COMMONWEALTH RAIL AGREEMENT) BILL: Assembly: sso 7897, int. 7897, 1R 7897, 3R 7904, ret. 8520, cons. amdts 8922, ad. rep. 8924, mes.

8924, assent 9177 Council: 1R 7817, sso 7817, 2R 8304, Com. 8327, 3R 8329, mes. 8953, assent 9111

TRANSPORT ADMINISTRATION AMENDMENT (PARRAMATTA RAIL LINK—PROPERTY GUARANTEE) BILL: Assembly: int. 515, 1R 515, 2R 515, 2R 1029, 2R 2279

TRANSPORT ADMINISTRATION AMENDMENT (PUBLIC TRANSPORT TICKETING CORPORATION) BILL:

Assembly: sso 13525, int. 19873, 1R 19873, 2R 19873, 2R 20808, 3R 20821, ret. 21167, assent 21536

*Council:* 1R 20767, *sso* 200767, 2R 21054, *Com.* 21065, 3R 21067, *assent* 21461

TRANSPORT ADMINISTRATION AMENDMENT (RAIL AGENCIES) BILL: Assembly: int. 4888, 1r 4888, 2r 4888, 2r 5370,

3R 5373, ret. 5786, cons. amdts 6086, ad. rep. 6086, mes. 6086, assent 6155

Council: sso 5380, 1R 5380, 2R 5557 2R 5651, Com. 5652, ad. rep. 5653, 3R 5653, 3R 5666, mes. 5888, assent 6369

TRANSPORT ADMINISTRATION AMENDMENT (SYDNEY FERRIES) BILL:

Assembly: 1R 5801, sso 5803, 2R 5804, 3R 5822, assent 6155

Council: int. 5212, 1R 5212, 2R 5212, 2R 5674, Com. 5688, ad. rep. 5688 3R 5688, ret. 5830, assent 6369

TRANSPORT ADMINISTRATION AMENDMENT (TRANSPORT LEVY FOR MAJOR EVENTS) BILL: Assembly: int. 14075, 1r 14075, 2r 14075

TRANSPORT LEGISLATION AMENDMENT (IMPLEMENTATION OF WATERFALL RAIL INQUIRY RECOMMENDATIONS) BILL: Assembly: int. 14205, 1r 14205, 2r 14205

TRANSPORT LEGISLATION AMENDMENT (SAFETY AND RELIABILITY) BILL:
Assembly: 1r 4821, sso 4972, 2r 4972, 2r 4994, Com. 5005, 3r 5012, assent 5576
Council: int. 4305, 1r 4305, 2r 4305, 2r 4594, 2r 4600, Com. 4609, 3r 4624, ret. 5061 assent 5501
TRANSPORT LEGISLATION AMENDMENT (WATERFALL RAIL INQUIRY RECOMMENDATIONS) BILL:

- Assembly: int. 16185, 1R 16185, 2R 16185, 2R 16685, Com. 16689, 3R 16690, mes. 17358, sso 17526, cons. amdts 17531, ad. rep. 17536, mes. 17536, assent 17593
- Council: 1R 16595, sso 16595, 2R 17206, Com. 17215, 3R 17216, assent 17539, mes. 17540

UNIVERSITY LEGISLATION AMENDMENT BILL: Assembly: sso 11986, int. 11988, 1R 11988, 2R 11988, 2R 12779, Com. 12783, ad. rep. 12783, 3R 12863, ret. 13899, assent 13948 Council: 1R 12825, sso 12825, 2R 13697, Com. 13710, 3R 13726, assent 13901 VALUATION OF LAND AMENDMENT BILL: Assembly: int. 23011, 1R 23011, 2R 23011 VALUATION OF LAND AMENDMENT (VALUER-GENERAL) BILL: Assembly: int. 1549, 1R 1549, 2R 1549, 2R 1722, 3R 1725, assent 2942, ret. 2942 Council: sso 1830, 1R 1830, 2R 2812, 3R 2814, assent 2911 VALUERS BILL: Assembly: int. 104, 1R 104, 2R 104, 2R 319, 3R 322, ret. 755, assent 1497 Council: sso 327, 1R 327, 2R 665, 3R 668, assent 1434 **VETERINARY PRACTICE BILL:** Assembly: 1R 5017, sso 5613, 2R 5615, 3R 5630, assent 6136 Council: int. 4308, 1R 4308, 2R 4308, 2R 4577, 2R 4717, 2R 4741, Com. 4743, 3R 4753, ret. 5557, assent 6020 VICTIMS LEGISLATION AMENDMENT BILL: Assembly: int. 377, 1R 377, 2R 377, 2R 852, 2R 926, 3R 928, ret. 1378, assent 1552 Council: 1R 944, sso 944, 2R 1239, 3R 1244, assent 1829 VOCATIONAL EDUCATION AND TRAINING BILL: Assembly: int. 18886, 1R 18886, 2R 18886, 2R 19319, 3R 19324, ret. 19855, assent 20109 Council: 1R 19232, sso 19232, 2R 19746, 3R 19755, assent 20023 VOLUNTARY EUTHANASIA TRIAL (REFERENDUM) BILL: Council: int. 3411, 1R 3411, 2R 3411, 2R 3819, 2R 4905, 2r 4918, 2r 4924 WATER EFFICIENCY LABELLING AND STANDARDS (NEW SOUTH WALES) BILL: Assembly: int. 14525, 1R 14525, 2R 14525, 2R 14745, 3R 14756, assent 15409, mes. 15410 Council: sso 14779, 1R 14779, 2R 15080, 2R 15247, 3R 15254, assent 15337 WATER MANAGEMENT AMENDMENT BILL: (2003) Assembly: assent 25 Council: assent 6, mes. 6 WATER MANAGEMENT AMENDMENT BILL: (2004) Assembly: int. 8854, 1R 8854, 2R 8854, 2R 9215, 3R 9237, ret. 10056, assent 10498 Council: sso 9256, 1R 9256, 2R 9770, 2R 9877, 2R 9901, Com. 9927, 3R 9943, assent 10441

WATER MANAGEMENT AMENDMENT BILL: (2005)
Assembly: sso 19983, int. 20014, 1R 20014, 2R 20014, sso 20121, 2R 20156, 3R 20161, ret. 20578, cons. amdts 20578, ad. rep. 20578, mes. 20578, assent 20634
Council: sso 20084, 1R 20084, 2R 20440, 2R 20464, Com. 20485, 3R 20493, assent 20581,

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WILDERNESS AMENDMENT BILL: *Council: int.* 12675, 1r 12675, 2r 12675, 2r 14182, 2r 17551, 2r 17576, 2r 17649

WINE GRAPES MARKETING BOARD (RECONSTITUTION) BILL: Assembly: 1r 5801, sso 5803, 2r 5822, 3r 5825, assent 6155 Council: int. 5420, 1r 5420, 2r 5420, 2r 5689, 3r

5695, ret. 5830, assent 6369 WOOL, HIDE AND SKIN DEALERS BILL: Assembly: int. 6231, 1R 6231, 2R 6231, 2R 6745,

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Council: 1R 16038, sso 16038, 2R 16986, 2R 17011, Com. 17014, ad. rep. 17023, 3R 17024, mes. 17172, assent 17539

WORKERS COMPENSATION AMENDMENT (INSURANCE REFORM) BILL:
Assembly: int. 4879, 1R 4879, 2R 4879, 2R 5012, 2R 5031, 2R 5033, 2R 5136, Com. 5137, 3R 5141, ret. 5379, assent 5786
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WORKERS COMPENSATION AMENDMENT (TERRORISM INSURANCE ARRANGEMENTS) BILL: Assembly: assent 25 Council: assent 5, mes. 6

WORKERS COMPENSATION AND OTHER LEGISLATION AMENDMENT BILL:
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Council: sso 13360, 1r 13360, 2r 13779, Com. 13787, 3r 13792, assent 13901

WORKERS COMPENSATION LEGISLATION AMENDMENT BILL: (2002) Assembly: assent 25 Council: assent 6, mes. 6

WORKERS COMPENSATION LEGISLATION AMENDMENT BILL: (2003) Assembly: 1R 2675, sso 2686, 2R 2706, 3R 2713, assent 2942 Council: int. 2045, 1R 2045, 2R 2045, 2R 2426, 2R 2510, Com. 2514, 3R 2516, ret. 2721, assent 2911 WORKERS COMPENSATION LEGISLATION AMENDMENT BILL: (2004) Assembly: sso 9452, int. 9646, 1R 9646, 2R 9646, 2R 9839, 3R 9847, ret. 10215, assent 10498 Council: sso 9752, 1R 9752, 2R 10118, Com. 10125, 3R 10127, assent 10441 WORKERS COMPENSATION LEGISLATION AMENDMENT BILL: (2006) Assembly: sso 21550, int. 21582, 1R 21582, 2R 21582, 2R 22176, 3R 22189, ret. 23003 Council: sso 22193, 1R 22193, 2R 22874, 22899, 22901

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AMENDMENT (MISCELLANEOUS PROVISIONS) BILL: Assembly: sso 20121, int. 20136, 1R 20136, 2R 20136, 2R 20177, 3R 20185, ret. 20390, assent 20634
Council: sso 20186, 1R 20186, 2R 20230, 3R 20236, assent 20581
WORKERS COMPENSATION LEGISLATION AMENDMENT (TRAINEES) BILL:

Assembly: sso 5373, int. 5375, 1R 5375, 2R 5375, 3R 5378, ret. 6107, assent 6155

Council: sso 5380, 1R 5380, 2R 5889, 3R 5894, assent 6369

YOUNG OFFENDERS AMENDMENT (REFORM OF CAUTIONING AND WARNING) BILL: Assembly: int. 2822, 1R 2822, 2R 2822, 2R 3178, 2R 3587

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#### **LEGISLATIVE COUNCIL**

#### 29 April 2003 to 11 May 2006

# THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):

#### Adjournment debate:

- The Chair adhered to the longstanding convention of the House that in the adjournment debate members do not make two speeches, 5279.
- A member of the Government and a member of the Opposition both claimed to have the right to the next call in the adjournment debate. The call was given to the member of the Government. The Chair recorded that the Opposition had had two speakers in the debate and, prior to the member of the Government being given the call, the Government had had only one, 5282.
- The time for the adjournment debate had expired, 10439.
- A member was speaking in the adjournment debate about a bill that was on the notice paper as an item of business inside the order of precedence and was, therefore, anticipating debate on the bill. The member was ruled out of order, 18727.

### Adjournment (Standing Order 201)

Standing Order 201 requires that a written statement of the proposed matter of urgency must be handed to the President prior to the commencement of the sitting. The procedures under the new standing order allow a statement not exceeding 10 minutes by the mover and a Minister, after which the Chair puts the question on urgency. If urgency is agreed to, various time limits on speeches will apply. At the conclusion of the debate the motion will lapse without a question being put, 7921.

#### Amendments:

The Chair clarified an amendment to a motion to suspend standing orders, 12830.

#### **Announcements:**

- Amendments to Integrated Forestry Operations Approvals, 6370.
- Axiom Education Consortium Contracts: Disputed Claim of Privilege, 10442.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

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- Beslan and Jakarta Terrorist Attacks, 10828.
- Beslan Terrorist Attack, 11871.
- Broadcasting of Proceedings, 2911.
- Budget Estimates Questions upon Notice, 18642.
- Chamber Broadcasting and Timing Systems, 13901.
- Clerk Assistant Committees, 18247.
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- Death of Australian Defence Force Personnel, 14939.
- Death of His Holiness Pope John Paul II, 14939.
- Death of Mr Anthony Michael McGrane, OAM, a Member of the Legislative Assembly, 10934.
- Death of the Hon. Finlay Melrose MacDiarmid, OBE, a Former Member of the Legislative Council, 6.
- Death of the Hon. Henry Bernard French, AM, a Former Member of the Legislative Council, 13903.
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- Deferred Answers, 18251.
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- **Announcements:** (continued) Standing General Purpose Committees: Membership, Chairs and Deputy-Chairs, 2914 India Bombings, 19093. Indian Ocean Tsunami, 13909. Jakarta Terrorist Attack, 11493. Joint Select Committee into the Transportation and Storage of Nuclear Waste, 985. Kariong Juvenile Justice Centre: Claim of Privilege, 13905. Legislative Council Chamber Camera System, 2911. Legislation Review Committee: Chair, 18642. Membership, 12182 Millenium Trains, 2913. Millenium Trains: Production of Papers, 1832. Parliamentary Committees, 10829. Parliamentary Librarian, 10241. Photographs of the Legislative Council, 19708, 20186. Postponement of Business, 3790. Questions on Notice, 17409. Remembrance Day, 12649. Resignation of the Hon. Malcolm Irving Jones, a Member of the Legislative Council, 3261. Restricted Rail Lines: Production of Documents: Report of Independent Legal Arbiter, 16976. Select Committee on Juvenile Offenders: Membership, 13909. Committee on the Cross-city tunnel: Select Membership, 20026. Select Committee on the Proposed Sale of Snowy Hydro Limited: Membership, 23021. Select Committee on Tobacco Smoking Membership, 21322. Chair, 21322. Committee on Law Standing and Justice: Membership, 17550. Standing Committee on Social Issues: Membership, 13909 Standing Committee on State Development: Chair, 14034.
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# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### **Announcements:** (continued)

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- Usher of the Black Rod, 10827, 16975, 17540.

#### **Ballot for Committee Membership**

The Chair explained the procedure to be followed under Standing Order 135 for the conduct of a ballot for committee membership, 10919.

#### Casting vote: 12016.

#### **Chair:**

- It is not the practice of the Chair to answer questions asked in the House. However, the Chair would answer the question if the member saw her in her office, 8681.
- A member had rephrased the views of the Chair extremely well, 12185.
- The Chair is not required to decide questions of law. In 1862 the President ruled:

It is the duty of the President not to give opinions on points of law, but to declare and give his opinion, when it is called for, on all matters relating to the ordinary forms and rules of proceeding in Parliament.

In 1901 the President ruled:

The President, in giving a ruling, is not called upon to decide points of law, but is merely required to express his opinion, as some guide to the House, on any question referred to him.

In 1951 the President ruled:

The President is not called upon to decide any question of law, but to decide those questions only which refer to the forms and proceedings of the House.

The Chair is merely required to decide whether a notice of motion conforms to the rules and forms of the House, 15465.

Members should not canvass or flout rulings of the Chair, 6649, 10290, 13462, 19118, 22214.

#### Debate:

When speaking to a motion to suspend standing and sessional orders or to call on business forthwith, members must confine their remarks to that questions; they cannot debate the substantive motion, 2207, 4267, 11092, 11093, 15210, 14759, 14789, 14794, 22038, 22040, 22693, 22694, 22695.

### **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### **Debate:** (continued)

- Members should not cast aspersions on other members of the Chamber or make derogatory comments about them. However, debate on the operations of committees could not take place without some reference to what happens during committee hearings, 14797.
- Members expect debate on proceedings in the Chamber and during public committee hearings to be fairly robust. Although the proceedings of deliberative meetings of parliamentary committees should not be referred to during debate in the House, matters on the public record are open to debate and members should not be too precious about references to the behaviour of members during a public committee hearing. If they are, little can be said about some committee hearings. However, members should refrain from making imputations against other members, 14797.
- Members should not discuss the direction in which a committee may or may not report, nor should they refer to evidence taken before a committee that was not taken in public, 15910.
- When speaking to bill, members are permitted to make a certain amount of general comment, 19626, and it has been a convention that such comments may be more general than comments made in question time, 2802. However, imputations must not be made against another member, 16359.
- There is a convention in the House that speeches may be wide-ranging. A point of order had been taken that the member with the call misrepresenting the was position. Misrepresentation cannot be the basis of a point of order. However, speeches must also be relevant, and that was the basis of a second point of order, which the Chair upheld. The member with the call could address the matter of misrepresentation by way of a personal explanation at a time when there was no other business before the Chair. She was permitted to continue but should ensure that her remarks were relevant to the motion before the Chair, 16534.

### **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### **Debate:** (continued)

President Hay ruled that a member may refer to a bill to illustrate his or her argument in support of a motion to suspend standing orders to expedite its passage. Accordingly, the Chair ruled that a member could refer to the bill to illustrate her argument but she was not permitted to traverse the subject matter of it, 20238.

#### President Hay had said:

It is not customary under ordinary circumstances to discuss the merits of a Bill on a motion to postpone its second reading

However, a member had misinterpreted the second ruling of President Hay to which he referred. President Hay said:

A motion to postpone the Order for the second reading of a Bill is a stage at which no debate on the Bill should take place.

The Chair read that to mean that no debate on the bill should take place during debate on a motion to postpone the order for the second reading. President Hay was simply restating his original position that no debate on the merits of the bill should take place. When speaking to an amendment to a procedural motion members should speak to the motion and not traverse the subject matter of the bill, 20241. A member could talk about what was happening politically, but if he continued to make abusive comments the Chair would rule him out of order, 20243.

Members may make general comments during debate on legislation, a much different approach from that taken in question time. The standing order that relates to questions is very concise and requires that answers to questions be relevant, 22868.

#### **Divisions:**

Members must vote in a division in accordance with their vote by voice, 20944.

Standing Order 113 provides:

3. A member is not entitled to vote in a division unless the member is present in the Chamber when the question is put with the doors locked.

At the time the question was put with the doors locked, two members who had been referred to in points of order were not in the Chamber and were not able to vote, 20944.

### **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### **Documents:**

- Standing Order 56 sets out clearly what is demanded of members with regard to an order requiring a document to be laid on the table, 13331.
- A Minister had made it clear from which document he was quoting. The Chair accepted his assurance, 13332.
- There is no standing order that provides that a document must be authenticated before it can be read, 21336.
- The Chair had no way of knowing what was in a note until the Minister read it, 21337.

#### Interjections, interruptions and disorder:

#### Interjections

- Interjections are disorderly at all times, 504, 643, 774 2211, 2742, 2802, 3791, 5384, 5520, 5657, 7507, 7756, 7935, 10949, 11518, 11764, 12815, 12954, 13138, 13142, 13143, 13144, 13148, 13459, 13826, 14396, 14552, 14560, 14790, 16749, 16852, 17063, 17177, 18004, 18374, 19245, 19898, 20031, 20050, 21476, 21915, 22038, 22205. Ministers and members should ignore interjections, not be diverted by them or respond to them, 1232, 4907, 5197, 7362, 7923, 8154, 8682, 9718, 9890, 11228, 11241, 11616, 11807, 12460, 13148, 14770, 14791, 16383, 16750, 17061, 17063, 20034, 20050, 22038, but it is not disorderly for a Minister to answer an interjection, 9890, and members should reflect on what happened in the New Zealand Parliament, 17186.
- The member seeking the call could be heard if other members did not interject, 644.
- The Chair was unable to hear a point of order because of interjections, 5204.
- A Minister was permitted to continue his response to an interjection, 11777.
- The voices of the Leader of the Opposition and the Deputy Leader of the Opposition were particularly loud and it was extremely difficult for members to hear Ministers' answers when they interjected, 12954.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### **Interjections, interruptions and disorder:** *Interjections:* (continued)

- The acoustics in the Chamber are not good and it was difficult to hear Ministers when there were interjections, 13139.
- If members cannot refrain from interjecting, they should turn off their microphones, 17043.
- It was somewhat hypocritical for a member to complain about interjections by other members when that member was one of the worst offenders in that regard, 17812.

#### Order and Decorum

- Members of the public in the gallery were advised that if they wished to engage in conversation, they should do so outside the Chamber, 774, that there was to be no noise at all from anyone in the gallery, 10460. While some latitude is extended to members engaging in conversations in the Chamber, noise should not emanate from the gallery, 21473.
- All members were directed to resume their seats. There was too much noise in the Chamber; the Chair was unable to hear anything, 5278.
- The comments of the Leader of the House, made while a member was taking a point of order, were ruled out of order, 5659.
- Members are expected to observe the standing and sessional orders and the conventions of the House, 7754.
- Members should not read newspapers in the Chamber, 8142.
- It is out of order for members to address people other than the Chair and other members in the Chamber, 8965.
- Members were asked to reduce the level of noise in the Chamber, 7644, 10831, 13139, 13145, 13150, 14769, 19571, 20047, 22845, 22846, and to behave themselves, 15835.
- The Chair was perfectly aware a member was seeking the call; he had no cause to shout, 13650. A member was warned that there was no need to shout, 17927.
- The Chair was unable to hear the member with the call, 14388, 19236.

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### Interjections, interruptions and disorder:

Order and Decorum: (continued)

- Members should remain silent while another member is speaking, 17911.
- Although there is a convention of fairly robust debate in the Chamber, members should behave in a parliamentary fashion, 21464.
- Members should resume their seats when asked by the Chair to do so, 22844.

#### Points of Order

- Unless members were taking points of order on a point of order being taken by a member with the call, they were not in order, 5392.
- Members must draw attention to the fact that they wish to take points of order, especially when there is a considerable amount of noise in the Chamber, 7362. The Chair cannot give members the call if she cannot hear them seek it. Members wishing to speak on a point of order should stand and seek the call in a clear voice, 17926, 22693.
- A member was asked to address the point of order in the correct fashion or he would be asked to sit down, 12957.
- A member was not speaking to a point of order, 13141, 13143.
- A member was permitted to take another point of order, 17927.
- Members must not attempt to make personal explanations while taking points of order, 20420.
- Members must not use points of order to debate the issue. Points of order must relate to rules governing debate, 20759.
- Unless a member is taking a point of order on a member who is speaking to a point of order, that member must not seek the call. The member must remain seated until the member with the call has finished speaking, 21340, 21484.

The Chair had ruled on a point of order, 22693.

### **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Interjections, interruptions and disorder:** *(continued)*

#### Questions without notice

- There was so much noise in the Chamber that it was impossible for the Chair to know if she was calling the Leader of the Opposition to order or giving him the call. She apologised to the Leader of the Opposition if he was not intervening. She reminded members of the problems with acoustics in the Chamber. Members were asked to reduce the level of chatter and interjection so that the Chair could hear both questions and answers, 961.
- A Minister was reminded that he must refer to the right train stops, 8160.
- A member was completely out of order, 12203.
- The behaviour of members should not be unparliamentary, 18012.
- No question would be answered until members had quietened, 18668.
- There was far too much noise in the Chamber; the Chair could not hear a word that was being said, 21480. A member was asked to repeat the last part of her question as the Chair had not heard it, 22051. The Chair could not hear the question because of the noise in the Chamber. Members should remain silent to enable the Chair to hear the question, 22846.

#### Member named:

If a member continued his behaviour, he would become part of history as the first member to be named three times and expelled from the House, 5279.

#### **Microphones:**

- The Chair had previously asked members on both sides of the Chamber who sit in front of a microphone not to interject while the microphone is activated. If such behaviour persisted the Chair would direct that microphones be turned on only while members are making speech or asking a question, 71.
- A member was asked to speak into the microphone, 4912, 13463.
- The Chair found it difficult to hear when two members were speaking at the one time into the same microphone, 5386.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### Microphones: (continued)

- The Chair reminded the member with the call that if she spoke into the microphone provided she need only use a normal speaking voice, 6487. Members with loud voices who interject should turn off their microphones, 13138. A member was told she need not speak so loudly into the microphone, 16852.
- Members should not speak into the microphone if they wish to interject, which is disorderly at all times, 11518.
- Members who are seated in front of microphones should switch off the microphones if they wished to engage in chitchat, 8963, 12030.

#### Notices of motions:

- The Chair intended to follow the procedure practised in the previous Parliament and adopted by her predecessors when members seek the call for notice of allowing one general business notice of motion to be given by a member on each call. That practice would not apply to Ministers or to members giving contingent notices of motion. The Chair would continue to recognise the Leader of the Opposition first after Ministers, but would then alternate the call between the Government, Opposition and crossbenchers until all notices had been given, 14.
- The time set aside during the routine of business for the giving of notices of motions was to be used for that purpose only, 6374.
- Members have the right to read notices of motions in their entirety, even if they are lengthy. However, lengthy notices of motions seem to lose their impact, 8263.

#### Offensive and objectionable remarks, imputations and aspersions: Standing Order 81 states:

No Member shall digress from the subject matter of any Question under discussion; and all imputations of improper motives, and all personal reflections on Members shall be deemed disorderly.

The Chair asked the member with the call to withdraw all imputations against and personal reflections on a Minister. The Chair accepted the statement of the member that he did make any imputations, 512.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

The standing orders that refer to offensive language apply to an individual, not a group. President Willis ruled:

> Offensive words must be offensive in some personal way. When a person is in political it is not offensive that things are said about him or her politically. There may be occasions on which remarks offensive to an identifiable Member may not be regarded as unparliamentary when applied to a group where Members cannot be identified.

> The Minister with the call was in order but was reminded that he should refer to the subject of the question, 2201. If a member is of the view that misleading statements have been made about his or her behaviour, the member may, in accordance with Standing Order 70, seek to make a personal explanation at an appropriate time, 2730.

- Members must not make imputations, intimations, inferences or reflections against other members of either House, 3408, 5083, 11780, 12194, 13145, 14797, 15219, 16223, 16359, 17409, 17927, 18152, 18176, 18972, 19118, 20028, 21090, 21091, 21339, 21340, 21341. Members doing so will be ruled out of order, 512, 12088. Such comments are disorderly, 1222, 2269, 5664, 6491, 10713, 11260, 20035, and unparliamentary, although the House accepts fair political comment, 8783. They can be made only by way of substantive motion, 11398, 12088, 12952, 15352, 17924, 17925, 18176, 18662, and if members believe they have an issue, they should raise it by way of substantive motion, 5279. A member was reminded not to transgress the standing and sessional orders that provide that implications cannot be made against members of the other place except by way of substantive motion, 694, 7102. Members cannot make imputations simply by referring to policy or quoting another member's speech, 17926, but members can make imputations against members of the public, 11807.
- Standing Order 91 (3) provides that all imputations of improper motives and all personal reflections on either House, members or officers will be considered disorderly. A Minister was not imputing improper motives. However, personal reflections were made on a member of the House. Although the Chair encouraged robust debate, she reminded members that reflections on other members are disorderly, 3690.

### **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

# **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- A member was reminded of the general rule of debate that all imputations against other members are disorderly. The same requirement of members applies when they are asking and answering questions. A Minister was commenting generally about economic plans and made no imputations against anyone, 5657.
- The word "reflect" in Standing Order 91 (1) means reflect in a poor way, rather than simply making a reference. To simply make a reference to a resolution or a vote of the House is in order. However, any adverse or critical reference to a vote of the House would contravene Standing Order 91 (1), 6029.
- Standing Order 91 provides that a member may not use offensive words against other members of the House, 6492.
- On a number of occasions the Chair had ruled that the standing orders do not require members to refer to other members by the title "The honourable". However, she reminded members that a number of standing orders refer to the term "unparliamentary language". Any language used by a member that makes imputations or references about other members is unparliamentary, 8670.
- It is a tradition that members of Parliament should not take offence at political statements, only at personal references, 8784.
- The Chair was happy not to rule on whether the word "silly" is unparliamentary, 10071.
- It is normal practice that when a member of the Chamber finds words offensive and the Chair rules in that way the member who said them withdraws. A claim that a member was doing the Government's bidding is obviously offensive and should be withdrawn, 11261.
- The Chair had not heard an alleged personal attack, 12184.
- Past Presidents have ruled that references to the views of a political party are not imputations against individual members, 12202.

**THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

#### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- Neither the Chair nor the Clerk heard what a Minister had said and, consequently, the Chair could not ask him to withdraw it, 12813.
- Members who believe they have been misrepresented may seek to have the matter addressed under the appropriate standing order at the appropriate time, 12822.
- Members should not cast aspersions on other members of the Chamber or make derogatory comments about them. However, debate on the operations of committees could not take place without some reference to what happens during committee hearings, 14797.
- The Chair reserved her decision on whether the term "boofhead" is unparliamentary, 14958.
- The Chair had been asked to rule whether the term "boofhead" is unparliamentary and, therefore, out of order. The Chair was generally in favour of the tradition of robust debate and believed that members should not be too precious about their public lives. Having examined a precedent and considered the issue deeply, she had found that the term "boofhead" had been used in past debates. Having regard to the rulings of previous Presidents, she ruled that the term "boofhead" may be considered unparliamentary only if the member so addressed finds the term offensive. The member to whom the remark had been directed had advised that he did not regard the term as offensive. Accordingly, the Chair ruled that on this occasion the term "boofhead" was not unparliamentary. However, members were warned that the following terms are unparliamentary: scabs and rats, treacherous turncoat, thug boy, nong, and duplicitous Labor lap dog, which had been ruled out of order, 15214.
- The Chair and former Presidents have made rulings distinguishing between general comment about political strategy and political parties, which is in order, and imputations of improper motives, which are out of order. Members must not make imputations of improper motives against a member of this or the other House, 16879.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

**Offensive and objectionable remarks, imputations and aspersions:** (continued)

- While discussion of policy decisions and policy actions is allowed, imputations about a member of the House can be made only by way of imputation, 17929.
- Because one statement has been offensive does not mean that it then becomes part of a point of order in another debate, 17929.
- The Chair had not heard what a Minister had said but was sure it was an imputation. The Minister was asked to behave himself, 18152.
- Standing Order 91 (3) states:

A member may not use offensive words against either House of the Legislature, or any member of either House, and all imputations of improper motives and all personal reflections on either House, members or officers will be considered disorderly.

Clearly by convention it is accepted that a member may, by way of substantive motion, make imputations of improper against another member. motives However, it is clear also that such a motion must relate specifically to that other member's character or actions. The motion before the House did not refer to the character or actions of Reverend the Hon. Fred Nile: it simply referred to a time and date for a committee to meet. Pursuant to Standing Order 91 (3) the Hon. Greg Pearce was out of order. He was also warned member not to reflect on a resolution or vote of the House, 20029.

- The Chair reminded members of her previous rulings in relation to imputations, 20032.
- Although it is a convention that members may, when contributing to debate, make general comments, a member was contravening standing orders by making imputations against other members of the Chamber, 20033.
- The Chair had ruled previously that as debate can be robust a remark is offensive only if it relates directly to a member rather than to a member's tactic or strategy. The Chair ruled on several occasions that it is not out of order for a member to suggest that another member is behaving in an offensive manner but that it is out of order for a member to suggest that another member is offensive. Accordingly, the Chair rule that the remark complained of ["... which is really a terrorist tactic"] was not offensive, 20238.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- The standing orders state only that imputations and inferences must not be made against members of either Chamber and there is no reference to members of other parliaments. However, the word "liar" had been ruled as unparliamentary on many occasions, 20239.
- The standing orders and conventions of the House are silent with regard to unparliamentary terms directed at members of other parliaments. A member's language was unparliamentary but could not ask her to withdraw because there was no convention or standing order that would make that necessary, 20239.
- While there is debate as to whether incitement to racial hatred legislation may collide with standing orders as they relate to total freedom of speech in the Chamber, there have been many Presidents' rulings that sexist or racist comments are unparliamentary. The Chair would also rule that sexist or racist comments are unparliamentary, 20604.
- When contributing to debate members may make general comments. However, a member's comments about Lebanese people were racist and bordering on unparliamentary. Further comments of such a nature would be ruled out of order, 20606.
- The term "Minister for road kill" is extremely offensive and should not be repeated. The Chair would ordinarily ask the member who used it to withdraw it. However it was made by way of interjection and it is difficult to ask a member to withdraw an interjection, 20653.
- Members cannot make aspersions or intimations against Her Majesty except by way of substantive motion. However, to refer to the monarchy as a hangover is not casting an aspersion on the Queen, 21083.
- There is nothing in the standing orders about substantive motions about members of the Legislative Assembly, but by convention that is how the House has dealt with aspersions or intimations against members of Legislative Council or the Legislative Assembly, 21083.

Standing Order 91 (2) states:

A member may not refer to the Queen or the Governor disrespectfully in debate, or for the purposes of influencing the House in its deliberations.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

# **Offensive and objectionable remarks, imputations and aspersions:** (continued)

The Chair took that to apply to the Queen herself, rather than the position of Queen. Otherwise no member could speak to the bill, 21083.

Members should not imply that other members in the Chamber are intoxicated, 21084.

The Chair could not interpret Standing Order No. 91 as meaning references specifically to the person in the position; she could not interpret Standing Order No. 91 as meaning references to the position. If that were the case the debate could not proceed, 21091.

# Expressions withdrawn or required to be withdrawn:

- "I understand that the civil liberties of individuals probably bore the Hon. Amanda Fazio ... . 1221. "Ms Lee Rhiannon can take some comfort in the fact that she had the ultimate victory when Stalin managed to get a pickaxe in the back of Trotsky's head", 8783, "On the subject of getting a chin, what about Fatty O'Barrell: I was amazed to see him last night in Parliament. He is a shadow of his former self. It is clear that he intends to challenge ...", 10713, "When I get some of my infamous colleagues in this place-people whom even the Communists would not want-", 13154, "The Minister may wish to lie ... ", 13331; "In relation to the timing of the hearing and the fact that the House has been directed, this simply relates to the fact that the committee is chaired by the Hon. Amanda Fazio. I believe that the honourable member will seek to delay the hearings and to deny the whistleblowers the opportunity to speak until the last possible moment", 11261; "He [Reverend the Hon. Fred Nile] should never again call himself a Christian", 20034; "I know they [members of The Nationals and the Liberty Party] become a trifle incoherent as the night wears on ... ", 21084.
- Debate in a House of Parliament should be robust, and members participating in such debate should not be overly sensitive about comments made by other members. The word "unpatriotic" is bandied about by many political parties. The Chair did not

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

## **Expressions withdrawn or required to be withdrawn:** (continued)

find the term offensive. It is merely a political term, and often the activities of many political organisations are labelled as unpatriotic. However, the member who had requested that the comment be withdrawn had made it clear that she found the term offensive, as had the majority of members. Given the robust nature of debate the Chair urged members not to be too sensitive about the terminology used by members during debate. However, in the circumstances the Chair asked the Minister to withdraw the statement that the member was unpatriotic, which he did, 5387.

### **Personal explanations:**

- Members who believe they have been misrepresented they may seek to make a personal explanation at the appropriate time, 504, 15343, 17927.
- Leave to make a personal explanation can be withdrawn at any time, 22696, and was withdrawn, 1435, 5065, 13312.

Standing Order 88 states:

The subject of a personal explanation must not be debated.

President Johnson ruled:

The matter which is the subject of the personal explanation should not be amplified or debated.

The Chair reminded members that a personal explanation under Standing Order 88 is a series of facts outlined by the speaker, and discussion and justification cannot be part of a personal explanation, 9278.

A member seeking to make a personal explanation cannot debate the matter. Odgers states:

[A personal explanation] cannot be used to respond to matters in debate which have occurred at an earlier stage in the proceedings. It also cannot be used simply to respond to arguments raised in debate; to use the procedure a senator must claim to be misquoted, misunderstood or misrepresented.

The Chair urged the member with the call to explain how she had been misrepresented and not to debate the question, 9279.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Personal explanations:** (continued)

- A member continued to demonstrate her misunderstanding of the standing order, under which the member may claim misrepresentation and may point to the misrepresentation that has occurred. The member had explained her position, and that was not allowable under Standing Order 88; the member must point to the misrepresentation that she claimed has occurred, 9280.
- Members may make personal explanations when is no business before the Chair, 13462, and that is not during question time, 20420.

### Points of order:

Not in	volved:	78, 2	37, 34	8, 776	, 1100,
3264,	3282,	3396,	3401,	3402,	3410,
3692,	3809,	4138,	4735,	4911,	5081,
5082,	5385,	5657,	6374,	6382,	6883,
6649,	7523,	8160,	8784,	9257,	9723,
10725,	10919	9, 109	96, 1	1259,	11398,
11811,	12667	7, 128	322, 1	2823,	12958,
13145,	13462	2, 136	649, 1	4031,	14689,
15343,	16220	), 167	59, 1	7006,	17814,
17924,	17925	5, 179	27, 1	7929,	18016,
18546,	18547	7, 186	63, 1	9249,	19553,
19720,	19905	5, 200	41, 2	0200,	20655,
20911,	21043	3, 210	45, 2	1049,	22228,
22841.					

### Not upheld:

The Chair declined to uphold a point of order taken under Standing Order 81, ruling that it was common practice for members in their speeches to cover a wide range of subjects in a general manner, 1221.

### Upheld:

Questions without notice should not ask for expressions of opinion, 1099.

Members cannot make implications against other members except by way of substantive motion, 1221.

Members should not make political speeches under the guise of points of order, 4445.

A question without notice sought a legal opinion, 6499.

Members should be addressed by their correct titles, 8670.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### Points of order:

**Upheld:** (continued)

A Minister's answer was not relevant to the question he was asked, 8676.

A Ministers answers should be relevant to the question asked, 10290.

A Minister should not use acronyms when answering a question, 12662.

Questions must not anticipate discussion upon an order of the day or other matters on the notice paper except an item of private members' business outside the order of precedence. Because a matter had been debated that morning did not necessarily mean that it would be debated that afternoon, 16222.

Speeches must be relevant, 16534.

A Minister was debating the question, 18150.

Ministers must not abuse Opposition members, 21484.

- Members should not use points of order for the purpose of making debating points, 78, 776, 2200, 3150, 4138, 12824, 14764, 20197, 20919, 21091, 22841, and a member knew he was doing so, 9137. Had a member confined his remarks to his point of order, it may well have been upheld, but he went on to debate the point and that was not permissible, 21045.
- The Chair had ruled on a point order, 3542.
- A member had not sought the call to speak to a point of order, 4442.
- Members knew their remarks did not constitute points of order, 5199, 5205, 9720, 12184, 12952, 14164, 15913, 19422, 19570.
- Members wishing to speak to an original point of order should wait their turn. A member can seek the call only if he or she is taking a point of order on the point of order that is being taken at the time, 5659.
- If a member wishes to speak to a point of order he or she must wait until the member with the call has finished speaking, unless he or she wishes to object and take a point of order on the member with the call. A practice had developed whereby members leap to their feet to contribute to debate before the member with the call has finished speaking, 5659.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Points of order:**

**Upheld:** (continued)

- An allegation of misleading the House cannot be the basis of a point of order, 7104, 8682, 11811, 16533, 16534, 17929, 18374, 19905. 21773, If members continued to take points of order for that purpose the Chair would have to take further action, 4441. If a member wished to have withdrawn a statement by another member, he should seek to do so in accordance with the standing orders, 9512.
- Whether the terms of reference of a General Purpose Standing Committee were to be expanded had no relevance to a point of order, 11622.
- A member had the right to speak to a point of order, 11622.
- A member was asked to address the point of order in the correct fashion or he would be asked to sit down, 12957.
- A member had made his point and was asked to resume his seat, 13928.
- If a point of order was that a Minister was not being relevant, the member taking the point of order should not have made the point that the Minister had not apologised. Whether or not a Minister apologises cannot be the basis of a point of order. However, a point of order can be taken on whether or not a Minister is being relevant, 14164.
- It was too late for a member to speak to a point of order. If he wished to take another point of order, he should wait until the Chair had ruled on the initial point of order, 14396.

There was probably no point of order, 17928.

- The Leader of the Opposition knew full well that the standing orders did not support his point of order, 18538.
- A point of order can be raised that a member's contribution to debate is tedious or repetitious. However, with regard to questions, all that is required is that answers be relevant, 18663.

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### Points of order:

**Upheld:** (continued)

Members must not attempt to make personal explanations while taking points of order. A member may make a personal explanation at a time when there is no other business before the House, and that is not during question time, 20420.

### **Postponement of business:**

Under new Standing Order 45, at the conclusion of formal business each day the Chair would give members the opportunity to postpone items of business that appear on the notice paper of which they have charge. That did not preclude members from postponing items at the time they were called on, 3790.

### **Privilege:**

A Minister had taken a point of privilege which he may wish to present at another time, 1429.

### **Procedure:**

- A member was correct in claiming that under the Constitution the correct title of the office was Chairman of Committees, 62.
- There is no specific rule requiring members to refer to the Premier by that title; it is simply a courtesy that is usually extended to him, 694.
- The Chair had not heard a member seek the call until the Minister had finished speaking in reply, 2268.
- The Chair put the questions on the second reading of cognate bills seriatim, 2186.
- If the Chair had to rely on every member to say what he or she meant, few speeches would be in order, 3401.
- The Chair reminded members that the standing orders state clearly that they must rise and seek the call, 245, 1843, 3542, 11377. Members should seek the call by calling out "Madam President". Standing Order 68 provides:

A Member desiring to speak shall rise in his place uncovered, and address himself to the Chair ...

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Procedure:** (continued)

President Johnson ruled:

When one is called to the Chair in this Legislative Council, either as President or as Chairman of Committees, with that calling does not come the power of clairvoyancy. I refer members to Standing Orders 68 and 83. Standing Order 68 is in the following terms:

A Member desiring to speak shall rise in his place uncovered, ...

That is not to be taken literally:

...and address himself to the Chair, and may, if he thinks fit, advance to the Table for the purpose of continuing his debate.

It is becoming increasingly obvious that, although not always, in a considerable number of cases when more than one Member rises in his place, no attempt is made to address the Chair. I do not know, and I am sure the Chairman of Committees does not know, whether Members sometimes stand to have a stretch, or to respond to a call of nature, or whether they wish to address the Chair. I remind Honourable Members that the standing orders have stood the test of time. It will suit all our purposes if they are adhered to; if they are not, the Chair will have to intervene.

3544.

- It is a convention of the House that calls for speeches or questions are shared around the Chamber. It is also a convention that members do not make two speeches in the adjournment debate, and the Chair intended to ensure that the convention was adhered to, 5279.
- Deputy-President Willis ruled on 4 May 1989 that the House should not be treated to a second reading debate speech on the third reading, that the prime purpose of a third reading of a bill is to ensure a last opportunity to oppose the legislation, and that the rulings of former Presidents state clearly that the debate on the third reading of a bill should be confined to that question. The member with the call was asked to confine her remarks specifically to the principle of the bill and not debate the detail of it, 7225.
- The Chair interrupted debate pursuant to Standing Order 186. In normal circumstances the mover of a motion could speak in reply for not more than 10 minutes. However, leave had been granted for the member the subject of a motion of censure to address the House, 9524.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Procedure:** (continued)

- A claim that a member may not make an implication against a person who has appeared before а parliamentary committee as a witness unless by way of substantive motion is incorrect. However, in accordance with the standing orders members must not comment on matters that are before a parliamentary committee prior to that committee reporting on those matters to the House. Members may refer to matters that are in the public arena, but they should not comment on proceedings that are presently before a committee of the House prior to that committee reporting on those matters. Accordingly, such references are out of order, 11228.
- Members who have spoken in a second reading debate cannot speak again without the leave of the House, 11766.
- Members were reminded that question time on Tuesday commences at 4.00 p.m. sharp, 11886.
- A Minister had already spoken in debate on a motion to suspend standing and sessional orders, 12829.
- It is in order to refer to the eminence of the Governor, Professor Marie Bashir, as a psychiatrist. However, members cannot criticise the Governor except by way of substantive motion. Standing Order 91 (2) states:

A member may not refer to the Queen or the Governor... for the purposes of influencing the House in its deliberations.

A reference to the Executive Council was out of order, 13746.

- With the leave of the House a member who had spoken in debate was permitted to speak again, 14790.
- Questions relating to the Labor Party rather than a Minister's public responsibilities would be ruled out of order. However, the Chamber's right to debate whatever it wishes is sovereign. In the past the House had debated motions calling on the Prime Minister to do certain things. Accordingly, the substantive motion was in order, 15210.
- As there was no Minister in the House, the President left the chair, 16980.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Procedure:** (continued)

- The Chair directed that a private member's bill be circulated, 16981.
- The Chair suggested that a member be more sensitive to the Aboriginal community's request relating to the use of the names of dead people, 17925.
- A member's speaking time had expired, 17925, 17928.
- A member is not in contravention of the standing orders if he or she misleads the House, 21091.
- Neither the question on an amendment nor the question on the second reading of a bill had been put. At the resumption of debate, the Minister would be in reply, 21373.

# Production of documents under Standing Order 53:

Advice had previously been sought from the Crown Solicitor on former Standing Order 19, now new Standing Order 53, which requires that the production of papers concerning the administration of justice be asked for by address to the Governor. That advice had been tabled in the House on 9 April 2002. In her statement to the House on that day the Chair indicated that the Crown Solicitor had advised:

... papers which contain material relating to the administration of justice, whether it be material touching upon or concerning papers relating to court proceedings or the police investigation leading to such, may be papers having reference to the administration of justice.

Given the advice of the Crown Solicitor, the Chair was of the view that the motion called for any advice provided to any Minister or government agency by the Solicitor General, Crown Solicitor or the Crown Advocate relating to Operation Auxin, a police operation. Clearly, the motion called for papers that related to police investigations and prospective court proceedings. Therefore, they fell within the category of the definition of "administration of justice" and such papers may only be called for by address to the Governor. The Chair, therefore, ruled the motion out of order. There had been no attempt to gag discussion because the member could give another notice of motion in the usual course using a different standing order, 11765.

## THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN): (continued)

### **Questions without notice:**

### Form

- Questions ruled out of order, 243, 3994, 3998, 4281, 4442, 4910, 6499, 7244, 7761, 7939, 8783, 8962, 8963, 11887, 12330, 12332, 12456, 13150, 13463, 13653, 13655, 19430, 19720, 20664, 22051, 22213, 22842, 22844. The Chair can rule a question out of order at any time, 22214.
- Questions ruled in order, 1429, 2749, 3149, 3541, 4145, 4451, 7519, 7522, 9729, 13652, 14395, 15215, 16222.
- The standing or sessional orders do not prohibit the asking of a detailed question. Although it was more appropriate for the question to be put on notice, the Minister was permitted to answer it, 962.
- Questions without notice should not ask for expressions of opinion, 4281, 7768, 12958, or a legal opinion, 3141, 13926, 19430, 20758, and whether one Act has precedence over another is a matter of legal opinion, 6499. Ministers were permitted to answer those aspects of question that did not ask for such opinions, 1099, 3141.
- The sessional orders are prescriptive with regard to questions without notice. Members should ensure that questions they ask do not contravene the standing orders, 3142.
- The relevant sessional order provides that a question cannot ask for a statement or announcement of the Government's policy, 10279. A question had not asked for an announcement of Government policy; it has asked for an update of information on a particular incident. The question was allowed, 3149.
- Questions must not contain argument, inferences, imputations or innuendo 3410, 3541, 3991, 4139, 4592, 11623, 10461, 12456, 13150, 13463, 13655, 22213, 22842, or statements of fact or the names of persons unless they are strictly necessary to render the question intelligible and can be authenticated, 1234, 1429, 4442, 16217. That requirement does not apply to answers and the Chair had not detected in a Minister's answer any imputation about any member of either House, 5083. If a member was able to refer to a newspaper

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

### Form: (continued)

- or similar record, the question would be in order. If the member was not able to do so, the Chair would rule the question out of order, 5391. The ruling of the Chair that the information needed to be authenticated cannot be canvassed, 5391. The fine line between giving information to make a question intelligible and engaging in argument is crossed on many occasions, 14395. The Chair was becoming concerned that questions were getting increasingly lengthy and contained argument, intimations and inferences, all of which were disorderly. The Chair would rule out of order questions that contained argument, 22214.
- Under Standing Order 64 questions may be put to a Minister relating to public affairs with which the Minister is officially connected, or to proceedings pending in the House, or to any matter of administration for which the Minister is responsible. Questions may be put to a Minister relating to public affairs with which the Minister is officially connected, 7761, 7768, 12332, 22842. The part of a question that related to information that is already in the public domain was in order. However, the part of the question that related to proceedings in committee not yet reported to the House was out of order. If the Minister wished to answer that part of the question that was in order, she was permitted to do so, 5660. The affairs of the Parliamentary Library are administered by the Presiding Officers. A Minister of the Crown cannot be asked a question about a matter over which he or she has no public administration. The question was, therefore, out of order, 3994.
- A Minister was permitted to answer a question which it was claimed fell outside his area of responsibility, 3997.

The twenty-second edition of Erskine May's *Parliamentary Practice* states:

> The facts on which a question is based may be set out as briefly as practicable within the framework of a question, provided that the Member asking it makes himself responsible for their accuracy ... Where the facts are of sufficient moment the Speaker has required prima facie proof of their authenticity.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

### *Form:* (continued)

Questions must comply with the standing orders. The *House of Representatives Practice* states:

The requirement that information contained in a question be authenticated by the questioner is rarely applied unless the accuracy of the information is challenged. In such cases the Speaker simply calls on the questioner to vouch for the accuracy of the statement and, if the Member cannot do so, the question is disallowed.

A question was ruled in order after the member who had asked it vouched for the authenticity of the information supplied in it, 4145.

- Members were asked not to use acronyms in questions or answers, 4586, 4909, 5080.
- Extremely detailed questions should be put on notice, 4727.
- The issue was whether under Standing Order 64 (1) a question related to public affairs with which a Minister was officially connected or to proceedings pending in the House. The Minister for Local Government is not responsible for the actions of local council, which are responsible for their own actions. The question did not relate to a matter of public affairs for which the Minister is responsible and was therefore out of order, 4910.
- Erskine May's Parliamentary Practice states that "where the facts are of sufficient moment, the Speaker has required prima facie proof of their authenticity", 5849. The facts referred to in a question were of sufficient moment to warrant the Chair asking the member whether there was prima facie proof of their authenticity. Because of the ruling of the Chair, the House would require more than a statement from the member that there was prima facie proof of their authenticity, 5391. The member's time for asking the question had expired. If the member wished to ask the question he should supply prima facie proof of the authenticity of the facts when he was next given the call to ask a question. The Minister was permitted to answer that part of the question which did not contain statements of fact or the names of persons, 5392.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

*Form:* (continued)

- A Minister was permitted to answer that part of a question that was in order, but was advised to ignore the reference to Christmas cards, 5515.
- The sessional orders contain 12 criteria to guide members with regard to the correct form of questions but only two criteria to guide members in regard to answers to questions. A question must be specific and not contain opinion or argument. Ministers were permitted to answer those parts of questions that were in order, 7517, 10461.
- Although a question did not breach any of the 12 guidelines in the sessional orders for the asking of questions, it would have been better placed on notice, 7519.
- The standing orders do not specifically state that a question may not contain two parts. The standing orders refer continually to "questions", 7522.
- Questions must not contain argument or ask for opinion, and they can only be asked of a Minister relating to public affairs with which the Minister is officially connected or to any matter of administration for which the Minister is responsible, 7768.
- As a question asked about future council amalgamations, some general reference to councils and council amalgamations was in order, 7770.
- There have been many rulings by former Presidents about the way in which facts should be used in a question. Erskine May states:

Where the facts are of sufficient moment the Speaker has required prima facie proof of their authenticity.

The question was argumentative and contained inferences and imputations, and the facts were of sufficient moment to require proof of their authenticity. The question was ruled out of order, 7939.

There are 13 separate requirements in the standing orders relating to the form of questions. Most members transgress most of those requirements most of the time. However, when a point of order is taken drawing attention to such a transgression, the Chair was bound to point that out to the member

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

- *Form:* (continued)
  - who had asked the question. The question contained argument and sought an expression of opinion and was clearly out of order. If the member wished to ask the question in a different form, he could do so when next given the call, 8783.
- A question sought an opinion from a Minister. The question also referred to statement by the leader of the Federal Labor Opposition. Standing Order 64 (1) states that Ministers can be asked questions relating to public affairs with which they are officially connected. The question was out of order on two counts, 8962, 8963.

New Standing Order 64 (4) provides:

Questions must not anticipate discussion upon an order of the day or other matter on the Notice Paper, except an item of private members' business outside the order of precedence or an order of the day relating to budget estimates.

If the State Labour Advisory Council was a government body, a question was in order because the Minister had been asked about public affairs over which he had charge, 10075.

- The Chair needed to hear from the Minister to whom a question was directed before ruling whether a question was in order, 10279.
- The terms of reference of a committee's inquiry involved looking into the circumstances surrounding the answers given by a Minister on a previous occasion. A question was in order provided it sought information about an incident different from that into which the committee was inquiring, 11623.
- The Chair allowed a member to conclude her question. In the past the Chair had ruled that if members cannot conclude their questions within the time provided in the standing orders, even if points of order are taken in that time, they must ask their questions when next given the call. The Chair was under the impression that the member would conclude her question in a few words. The remainder of the question contained considerable argument and was ruled out of order. The Minister was permitted to answer those part of the question that were in order, 11623.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

Form: (continued)

- A question was disorderly in three ways. It contravened Standing Order 65 (1) (b) as it contained argument, it contravened Standing Order 65 (1) (c) as it contained inferences and it contravened Standing Order 65 (2) (a) as it asked for an expression of an opinion. The member who asked the question had been a member for sufficient time to know how to frame a question. The member could rephrase the question when next given the call, 11887.
- Members cannot ask questions that anticipate the report of a committee. If a question has been asked in public; it is not out of order. If a question has anything to do with the deliberations of a committee, it is out of order, 12330.
- It is encumbent upon members to ensure that the Ministers to whom they direct their questions are the correct Ministers, 12957.
- A question almost asked for an opinion, but support is not necessarily an opinion; it could be an act, 13335.
- A question asking a Minister to outline innovative approaches did not necessarily constitute an announcement of government policy, 15215.
- The Chair cannot read a Minister's mind and had no idea what he was about to say, 15219.
- Questions must not anticipate discussion upon an order of the day or other matters on the notice paper except an item of private members' business outside the order of precedence. Because a matter had been debated that morning did not necessarily mean that it would be debated that afternoon. Although it contained argument, the question was in order, 16222.
- If a member had a problem with the question he should have taken a point of order when the question was asked, 18548.
- The part of a question that referred, inter alia, to an estimates committee may not have been in order. The major part of the question was in order and the Chair allowed it to stand, 19248.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

*Form:* (continued)

- The words "proceedings in committee" do not refer to public evidence before a committee but simply to proceedings that have taken place within a committee. Standing Order 65 (4) states that questions must not anticipate discussion upon orders of the day or other matter on the notice paper, 20664.
- A question may well have been in order, but because a member had taken no notice of the Chair's instruction to resume his seat, and because the Chair could not hear the question, it was ruled out of order, 22844.
- A member could hand a question to the Chair and she would tell the member whether it was in order. The problem with the question was that it related to a matter over which the Minister had no control, 22844.
- Questions relating to members' parliamentary entitlements should properly be put either to the Presiding Officer or to the Parliamentary Remuneration Tribunal. The Chair will not respond in the Chamber to questions directed to her about the administration of Parliament. The member was welcome to speak to her in her office at any time about the matter. The question was based on a false assumption about the relevant legislation, which provides that a member is provided with an additional staff member if he or she is elected as an Independent, 22844.

### Minister's latitude

- Ministers' responses were in order and they were permitted to continue, 69, 71, 78, 237, 485, 3142, 3144, 3405, 3694, 4280, 4907, 5083, 5851, 7515, 8675, 8788, 8965, 8970, 10069, 14164, 14766, 18548, 20205, 20661, 20915, 21043, 21181, 21333, 21337, 21340, 21773, 21912, 21913, 23033, 23035.
- Ministers were asked to address the questions they were asked, 73, 1834, 2197, 2204, 8154, 8161, 8784, 8785.
- The sessional orders require that Ministers' answers be relevant to the questions asked, 78, 236, 479, 485, 642, 643, 3142, 3274, 3691, 3809, 4147, 4280, 4592, 4593, 4736, 5204, 5394, 5520, 5849, 6492, 6500, 7644, 7650, 8162, 8670, 8675,

**THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

Minister's latitude: (continued)

- 8676, 8677, 8679, 9881, 9890, 9891, 10069, 10282, 10290, 10291, 10725, 11237, 11774, 11779, 12460, 12957, 13325, 13462, 14693, 14958, 15028, 15219, 15480, 15919, 16999, 17409, 13219, 13480, 13919, 10999, 17409, 18369, 18374, 18662, 19119, 19431, 19570, 20049, 20050, 21042, 21045, 21181, 21336, 21341, 21484, 21487, 21774, 22207, 22215, 22845, 22868, but some general comments are always allowed to a Minister in answering a question, 2195, 2202, 4588, 5072, 7933, 10280, 10364, 10369, 10725, 14028, 
   14282,
   15352,
   15354,
   18369,
   1862,

   18972,
   19421,
   19431,
   19570,
   20205,

   20661,
   20920,
   21043,
   21051,
   21181,

   21189,
   21337,
   21341,
   21773,
   22205,
   although the Chair will draw the attention of Ministers to the fact that they have strayed too far from the question asked, 8677, and answers must not contain imputations against, or abuse levelled at, other members, 4447, 22207. A Minister's answer was not relevant to the question asked, 12955. A Minister was straying from matters sought in the question, 20911. Ministers are out of order if they refer to matters in their answers that are not relevant to the questions they are asked, 21049. The fact that a Minister was continually making statements about the Opposition did not mean that he was not being relevant to the question asked, 21050. Making general comments about the issue is relevant was relevant to the question asked, 21051.
- One of the few rules applying to the content of answers is not that an answer must not contain a statement that could otherwise be made in the form of a ministerial statement. The Minister's answer did not contravene any standing or sessional order and he was permitted to continue, 484.
- The standing orders do not preclude a Minister from making an assumption when answering a question, 2200.
- The sessional orders as they relates to answers to questions without notice are clear. They contain two requirements: first, answers must be relevant to the questions asked; and, second, a Minister, when answering a question, must not debate the question, 3142, 10069, 10455, 10464, 18150, 21912, 23035, and a Minister had transgressed the requirement not to debate the question, although his answer may have been relevant, 8782.

**THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

Minister's latitude: (continued)

- When answering a question, a Minister must not debate the question, 1836, 3684, 4280, 4285, 4451, 4593, 5197, 5208, 5383, 7935, 8784, 9881, 10069, 10071, 10368, 10455, 10464, 11230, 11779, 12196, 12328, 14164, 14400, 15357, 15471, 18016, 18671, 21905, 22046, 22057, 22205. That does not relate to the issue to which the question is directed, 643, 2027. However, the Treasurer could not answer a question without refining it in some way, bearing in mind that it was directed to the wrong Minister, 2747. A Minister was not debating the question he was asked; he was making general remarks about previous questions, 5394. However, in answering a question, a statement by a Minister that the premise of the question is wrong can in fact be an answer to the question. The Chair ruled that berating the member who asked the question is debating the question, 11232. Comparing the question with another question was probably debating the question, 11774. Debating the name of the member who should ask the question is debating the question and is out of order, 12328. Ministers may answer questions in whatever way they see fit so long as in doing so his answer remains relevant, 14169. A Minister was flouting the Chair's ruling that a Minister must not debate the question, 14400. A Minister had transgressed the requirement not to debate the question, 18150, although his answer may have been relevant, 8782. Although the standing orders state clearly that a Minister must not debate the question, the Chair understood the Minister to have been pondering the difficulty of measuring an office, 18545.
- An answer to a question without notice must be relevant to the question asked. If the response of the Minister is irrelevant, a member can take a point of order while the Minister is responding. The member cannot complain about the answer after it is over, 6649.
- In responding in a general way to the subject matter of a question, a Minister may have had to make some reference to previous decisions of the House. The Minister was not reflecting on a decision of the House; he was responding in a general way to the question, 5072.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

**Questions without notice:** 

Minister's latitude: (continued)

- The House has to hear a Minister's answer before deciding whether it was relevant, 5851.
- A Minister was making general political comments, which were not relevant to the question. He was asked to return to the question, 8784, 8785.
- Traditionally a certain amount of latitude is allowed to members. It was in order for a Minister to make general reference to the budget when answering a question about FarmBis, 9890.
- The Leader of the Government could answer any question, and he had obviously undertaken to do so, 12956. If the Leader of the Government wished to answer the question, he could do so either in his capacity as Leader of the Government or in his capacity as the Minister of whom the question should have been asked, 12957.
- A Minister has given a response, and that was the answer to the question. A Minister can answer a question in any way he or she sees fit as long as the answer is relevant, and the answer was relevant, 12957, 12958.
- In response to a question relating to the Noxious Insect Fund, the Minister's general comments about insects were relevant, 13141.
- A Minister was directed not to mention Dubbo unless it related to railways, 13324, or to the locust control program, 13330.
- A Minister was permitted to answer a rephrased question, 13654.
- Liberal Party preselection was clearly not relevant to the question asked, 14958.
- A member had asked an extremely general question and the Minister was answering it, 20655.
- A Minister was asked not to refer to the Leader of the Opposition when talking about stress, 21049.
- A Minister was permitted to speak about statements made by the Leader of the Opposition, but not about the Leader of the Opposition, 21050.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

- *Minister's latitude:* (*continued*) Ministers should not simply continue to refer to the Opposition, 21051.
- Ministers must not refer to legislation before the House, 2118
- The Chair could not give a ruling that made it impossible for members to discuss industrial relations in New South Wales. General statements made by a Minister in a second reading speech are not necessarily statements related specifically to legislation. A Minister was in order provided he made general comments about the situation in New South Wales. If he attempted to canvass the specifics of legislation before the House, the Chair would rule him out of order, 21189.
- When answering questions Ministers may talk generally about announcements previously made but must no announce government policy, 21331, 21332.
- If Ministers attempt to answer questions by abusing the Opposition, the Chair will continue to rule them out of order, 21484. Psephology is not as offensive as abuse of the Opposition, 21487.
- Although the subject matter of the question had escaped the Chair, she was sure the Minister's comments were not relevant, 21487.

### Procedure

- During question time the Chair had tried to ensure that calls for questions are distributed fairly. That sometimes meant that members who had not sought the call received it, because sometimes members are no as quick on their feet as others, 5279.
- Members were informed that the Chamber's electronic timing system was not working and questions and answers would be timed manually by the Usher of the Black Rod, 8671.
- The time for questions had expired. If members had other questions they should place them on notice, 9139.
- Questions asked by the Leader of the Government of the Minister for Transport Services are out of order, 11616.

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

### **Procedure:** (continued)

- Question time started at 12 noon sharp; the clock was set back one minute, 11771.
- The Minister for Disability Services had referred a question to the Minister for Rural Affairs to answer, and that Minister was permitted to answer the question, 13650.
- The *House of Representatives Practice* states that a Minister:

... may also transfer a question to another Minister and it is not in order to question the reason for doing so.

Odgers' Australian Senate Practice states:

It is the right and responsibility of ministers in this chamber to decide who will answer questions and in whose area of responsibility at particular question lies.

13652.

- A member was permitted to ask a question on behalf of the member who was next on the list but who was ill, 18151.
- A member knew full well that only two things can happen when a Minister is giving an answer, and they were both happening in the answer being given, 20757.

### Supplementary questions

- Supplementary questions ruled out of order, 348, 638, 4277, 4589, 4908, 5075, 5519, 5658, 7242, 13920.
- Supplementary questions ruled in order, 779, 3998, 6652, 7362, 7763, 8968.
- The Chair had asked members to make it clear that they are seeking to ask supplementary questions., 245, 1843. There was no such indication, and therefore there was no supplementary question. The Chair was not seeking to deny members the opportunity to ask supplementary questions. However, the standing orders state that to do so the member must rise and seek the call, 3542, 21335, 21907.
- Supplementary questions may seek only to elucidate information given in response to the original question, 348, 638, 775, 4589, 5075, 5519, 5658, 7242, 8157, 21336, and must not contain new information, 4277,

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

Supplementary questions: (continued)

- and as there had been no answer a supplementary question was inappropriate, 3275. A supplementary question was in order in asking a Minister to elucidate his answer and the Minister was in order elucidating his answer, 4910. If a responding Minister. in to а supplementary question, continues in the same vein as his answer to the original question, he is in order, 5384. A question sought elucidation and that was what the Minister was providing, 13929.
- At the discretion of the President one supplementary question may be put immediately by the member who asked the question to elucidate an answer. The Chair had not exercised her discretion, 486, and a member may not seek to ask a further question under the guise of asking a supplementary question, 638.
- Since the present standing orders were implemented the Chair had taken many hundreds of requests from members to ask supplementary questions and had never denied such a request until the previous week when the time for questions had expired and the Minister had risen to his feet. The sessional orders provide that the President has a discretion not to allow a supplementary question and because the time for questions had elapsed she exercised that discretion on that occasion, 644.
- As the original question had not been ruled out of order, a member was entitled to ask a supplementary question, 2748.
- The Chair was persuaded that a member was seeking elucidation and felt that the Minister had not fully answered the original question. It is common to ask for elucidation when a member feels that he or she has not understood the answer. The Minister was permitted to answer the supplementary question, 3547.
- The Leader of the Opposition was permitted to ask a supplementary question, 4441.
- The first part of a supplementary question sought elucidation; the later part did not. The Minister was permitted to answer the question, 6384.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Questions without notice:**

Supplementary questions: (continued)

- The rules governing supplementary questions are the same as those that govern questions, 10719, and they must not ask for an opinion of a Minister, 9136, contain argument, 9498, 13920 or be a non sequitur, 12200. However, part of a question genuinely sought elucidation of the Minister's answer and was in order, 7763.
- A member asking a question again may be regarded as seeking elucidation, but only if the original question was in order. Often the original question is not in order and, therefore, if a member simply repeats the question, it cannot be a supplementary question and must be ruled out of order, 8968.
- It is not out of order for a Minister to invite a questioner to ask a supplementary question, 12819.
- The Chair cannot determine whether a supplementary question is out of order until the question has been asked, 13928.
- A Minister was directed to elucidate his answer, 13929.

### Supplementary answers

- The Chair suggested that a Minster would find it difficult to elucidate, in a supplementary answer, his answer to the original question, 4440.
- The quotes from Erskine May's *Parliamentary Practice* by a member who had taken a point of order were irrelevant to the point of order because they referred to supplementary questions and not to answers to supplementary questions. It was clear that a supplementary question can seek only the elucidation of an answer. However, the standing orders as they relate to answers do not state that an answer must elucidate. The Minister's response was in order, 4445.

### **Relevance:**

It is a tradition of the House that members may speak broadly when contributing to debate. However, members should keep their remarks relevant to the question before the Chair, 2802, 6375, 6488, 8772, 9768, 9769, 10713, 11876, 12183, 14384, 17910, 17923, 17926, 20239.

# **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### **Relevance:** (continued)

- A member was putting forward arguments related to the timing of a committee report, and was permitted to continue, 12183.
- Arguments about the timing of a committee inquiry were relevant to the question before the Chair, 14764.
- The Chair had no idea what a member was about to read and could not possible rule whether it was relevant, 17928.
- When speaking to bills, unlike in question time, members are permitted to make a certain amount of general comment. A member's remarks were in order and she was permitted to continue, 19626.

### Sub judice rule:

Previous rulings tend towards the view that the matter claimed to be sub judice must be before a jury and in operation, 17924.

### Wearing of badges in the Chamber:

- Badges, signs of displays worn by members in the House should be no larger than the Legislative Council members' badge, 11262. A member was asked to remove herself from the Chamber until she could comply with that ruling, 22193.
- The Chair would have regard to rulings of the Presiding Officers of the Federal Parliament relating to the size of badges that may be worn by members. She reserved her ruling on a point of order, 19548.
- In the absence of any point of order being raised, in recent weeks the Speaker of the House of Representatives has not directed the removal of the badges with the slogan "Your rights at work". Whilst *House of Representatives Practice*, Fifth Edition, at page 158 lists a number of prescribed forms of behaviour in the Chamber it is silent on the wearing of badges. The Chair had been raised recently on the matter in the Senate. However, the principles set out in Odgers *Australian Senate Practice*, Eleventh Edition, at page 210 would be applied if the matter arose. Odgers states:

It is not in order for senators to hold up newspapers or placards in the chamber or display items such as badges with slogans... Senators may not have on their

## **THE PRESIDENT (The Hon. Dr MEREDITH BURGMANN):** (continued)

### Wearing of badges in the Chamber: (continued)

desks items which are objectionable to other senators... It is similarly not in order to wear in the chamber T-shirts or other clothing bearing slogans... The basis of these rulings is that, not only is the holding up of placards with slogans disruptive of orderly debate, but it would allow senators to intervene in debate other than by receiving the call from the chair and participating in debate in accordance with the rules of the Senate.

On 20 May 1997 Deputy-President Gay ruled that "the size of badges worn in this House should not exceed the size of the Legislative Council badge". I made similar rulings on 20 October 1999, 27 October 1999, 11 April 2001 and 22 September 2004. Since the Hon. Duncan Gay has taken objection to a member wearing a label on the basis that it is larger than the member's badge the Chair asked members not to wear badges or objects of that nature into the Chamber, 19711.

The point had been made by the Government Whip that as a result of a ruling by the Chair in the House of Representatives a change of practice had taken place in that Chamber. Consequently the Chair decided to defer her ruling until she had ascertained whether such a ruling had been made. Had such a ruling been made in the House of Representatives, her ruling today would probably have been different. However, as no such ruling has been made, she confirmed her original decision, 19712.

### DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):

AS ACTING-PRESIDENT:

Casting vote: 22432.

### Interjections, interruptions and disorder:

### **Interjections**

Interjections are disorderly at all times, 2588, 22333, 22430, 22459.

### Order and Decorum

Members should direct their comments through the Chair, 2385, 2588.

- A member was asked to speak a little more slowly, 2434.
- The use of mobile phones in the Chamber is prohibited, 2398.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Interjections, interruptions and disorder:

Order and Decorum: (continued)

- Members should refer to other members by their titles, not by silly nicknames, 22332.
- Members of the public in the gallery should remain completely quiet, 22333.
- It is not appropriate for members listening to the debate to give instructions to the member with the call, 22459.

### **Points of Order**

- Members should not interject when a point of order is being taken, 2592.
- A member was advised to speak to his point of order and not attempt to make a personal explanation, 22430.
- Members should not attempt to take points of order or speak to points of order on matters that are not relevant to the standing orders; they should not use points of order as a means of making debating points or personal explanations, 22431.

### Notices of motions:

Standing Order 71 (2) states, "Lengthy notices need not be read, provided a summary of the intent of the notice is indicated to the House", as it had been in the comments of the member giving the notice, 22429.

## Offensive and objectionable remarks, imputations and aspersions:

- Any attack on the Premier must be done by way of substantive motion, 2433.
- The standing orders provide that a member should not make imputations against members of either House. A Minister had not contravened the standing orders as he had not made an imputation against another member, 22333.

Expressions withdrawn or required to be withdrawn:

"Sit down, you fishwife", 2522.

### Points of order:

**Not involved:** 2393, 2433, 2519, 2520, 22333, 22429, 22444.

### Not upheld:

A Minister's answer to a question without notice was not relevant to the question, 22332.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Points of order:

**Not upheld:** (*continued*) A Minister was not addressing the question before the Chair, 22430.

### Upheld:

Members should confine their remarks to the question before the Chair, 22355, 22466.

A question without notice contained argument, 22443.

Members should not make imputations about and reflect upon members of either Chamber, 22466.

- If a member takes points of order stating that he would like to be able to listen to answers being given by Ministers, he should not engage in conversation in the Chamber and should cease interjecting consistently when Ministers are giving their answers, 2522.
- If members want to take points of order, they should indicate aloud their intention to do so, not merely stand up, 22328.
- A member's remarks did not constitute a point of order, 22328.
- The phrase "pot calling the kettle black" came to mind when a member complained about having to speak over the noise of members when taking a point of order. The member was asked to proceed, 22332.
- Members cannot take points of order on matters that were not points of order, 22332.

### **Procedure:**

- A member was asked to confine his remarks to stating why a special adjournment motion should not be agreed to. It was inappropriate to deal with proposed amendments to child pornography legislation as they were on the business paper for the House to deal with, 11803 (Withdrawn).
- During the initial debate following an adjournment motion under Standing Order 201, members should confine their remarks to urgency. Given the level of noise emanating from the Opposition benches it was difficult to hear the Minister's comments. If there was not more decorum the Chair would call offending members to order, 22430, 22431.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### **Procedure:** (continued)

Standing Order 201 provides that only the mover and Minister can contribute to the question of urgency. When the standing order was drafted it was not envisaged that the present situation would occur, and the matter should be considered further by the Procedure Committee. In the interests of permitting the intent of the standing orders to be followed the Chair allowed the Leader of the Opposition to speak on the issue, but for no more than 10 minutes, 22431.

### **Questions without notice:**

### Form

Questions ruled in order, 22333.

Standing Order 64 (1) states:

Questions may be put to Ministers relating to public affairs with which the Minister is officially connected, to proceedings pending in the House, or to any matter of administration for which the Minister is responsible.

The question was hypothetical and asked for an opinion from the Minister about something that may happen in the future. The Chair ruled the question out of order, 22586.

### Minister's latitude

A Minister's answer should be relevant to the question he was asked, 2393, and if members of the Opposition continued to interject and distract the Minister, he may continue to stray from the strict subject of the question,.22437.

A Minister was permitted to continue his response, 22328.

- A Minister's answer was relevant to the question he was asked, 22328, but the time allowed for the Minister to respond had expired, 22587.
- A Minister's answer was in order. However, it was a moot point as his speaking time had expired, 22332. He was making relevant comparisons and the Chair was sure that when the Minister had completed his answer he would have responded to the question, 22587.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### **Questions without notice:**

Minister's latitude: (continued)

A Minister was speaking about health issues. However, the question related to a specific mental health service, which the Chair asked him to address, 22439.

### Procedure

A point of order was taken that questions without notice should be directed to Ministers in respect of the public affairs with which their portfolios are connected. The matter was resolved after the Leader of the Government advised that he would refer the question to the relevant Minister in the Legislative Assembly, 2396.

### Supplementary questions

Supplementary questions ruled out of order, 2394.

### **Relevance:**

- It is inappropriate to argue that a matter is relevant because a member supposes it may be raised later in the debate, 2592.
- Members should confine their comments to the question before the Chair, 2592.

### AS DEPUTY-PRESIDENT:

### Adjournment debate:

- The Chair, having clarified that a matter being referred to by a member in the adjournment debate was not before the court, allowed the member to proceed, 14199.
- The fact that a member about whom another member was speaking had not spoken in the adjournment debate was irrelevant, 14599.
- Standing Order 91 (3) had not been breached because the member with the call was speaking about the topics and issues raised earlier in the adjournment speech of another member, and he was perfectly entitled to do so, 14602.
- It is the general practice in the Chamber that Ministers speaking in reply to the adjournment debate are not restricted to referring to matters raised by members in their contributions, 16877.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Adjournment debate: (continued)

Standing Order 31 (4) (a) provides:

On any motion for adjournment to terminate a sitting:

(a) the question will be put no later than 30 minutes after the motion has been moved, or, when a Minister wishes to speak or is then speaking, at the conclusion of the Minister's remarks ...

That section of the standing orders does not make reference to matters to which a Minister or Parliamentary Secretary was restricted. Reference had been made to Standing Order 91 (3). The Chair was not aware of anything said about either of the Houses or any member of those Houses that would be considered disorderly, 16878.

### Amendments:

It is highly irregular for the mover of a motion to seek leave to amend a motion when speaking in reply. A member desiring to amend his or her own motion should do so by seeking leave to do so prior to moving the motion. Alternatively, the member could seek to have another member move an amendment to the motion during the course of the debate. An amendment was, therefore, inadmissible, 19934.

### Announcements:

- Legislative Council Representation on University Governing Bodies, 14671.
- Standing Committee on Law and Justice: Membership and Deputy-Chair, 18173.

### Interjections, interruptions and disorder:

### Interjections

Interjections are disorderly at all times, 627, 974, 2015, 3532, 5868, 6380, 7940, 7942, 7961, 10253, 10254, 10261, 10933, 12214, 12655, 14177, 14274, 14281, 14421, 14675, 18030, 18537, 19463, 22871, 22872, particularly from members who are already on two calls to order, 15249, and should cease immediately, 3983. Members should ignore them, 3553, 13159, 13737, not acknowledge them, 3557, 4011, not respond to them, 5407, 10254, 11225, 12314, 12655, 12808, 14191, and continue with their speeches, 18030. Earlier contributions had been heard in silence. The Chair suggested the same courtesy be extended to other members

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Interjections, interruptions and disorder:

*Interjections:* (continued)

- who wished to contribute to the debate, 4440. If members with the call did not respond to interjections, those interjecting would not be encouraged and might desist, 15901. Members should not interject 6381, 6774, 7530, 16799, 17055, and prompt speakers, 16743, make sheep noises, 16794, to distract the member with the call, 13737.
- The Chair would not be tolerant of members interjecting. There were many people in the gallery who had come to listen to the debate, and if they could not hear the debate because of the disorderly behaviour of members the Chair would be compelled to call to order those members who interjected, 5868.
- The subject matter of the motion before the Chair was of such importance that it would be beneficial to all if interjections were kept to a minimum so that the Chair and honourable members could hear what was said, 6377.
- The Chair had warned members about interjecting. 13682. If members continued to interject, they would be called to order, 10255.
- A Minister would need to move a substantive motion if he wished to comment on another member of the House, otherwise his conduct would be disorderly. Members were asked to bear that point in mind when they realised they should not be interjecting, 10255.
- Had the Chair heard what she had been led to believe was an offensive interjection, she would have asked for it to be withdrawn, 14421.
- There were far too many interjections. The Chair was having difficulty hearing the member with the call. If members persisted with interjecting the Chair would continue to call them to order, and that could have some possible adverse consequences. If members were not interjecting it would not be necessary to shout into the microphone, 21490.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

# **Interjections, interruptions and disorder:** *(continued)*

### **Interruptions**

Members of the public in the gallery should not to interject or make comments while members are talking or during any proceedings of the House; they should observe the proceedings in silence. If the ruling of the Chair was not abided by, she would direct the attendants to clear the gallery, 3139.

### Order and Decorum

- Members should be referred to by their correct titles, 258, 7122.
- Members should direct their comments to the Chair, 2015, 3985, 4454, not to individual members, 9316, 12839, 13737, 18537, 19463. They should not engage in private conversations with other members, 7945, 10254, 10737, or across the table, 20480, a ruling which applied equally to Ministers at the table, 5403.
- The Chair would have a member removed from the Chamber if he persisted in interrupting the Chair. He should show due respect and be quiet while the Chair is speaking; it was not his role to tell other members to sit down, 2819.
- A member's time for speaking had not expired, and members of the Opposition were asked to reduce the level of chatter, 3139.
- Members were asked to cease a slanging match across the Chamber, 4009.
- As the Leader of the Opposition did not have the call he should cease interjecting. A member was attempting to make a contribution on an issue he had raised and he should listen to it in silence, 4454.
- The Chair did want to start calling members to order, but if the behaviour the Chamber had witnessed persisted, she may well be forced to do so, 4454.
- The debate was of such importance that the House had agreed that it should be given priority; the Minister should be heard in silence, 7941.
- It is essential that members with the call be heard in silence, 7942. Members who have been heard in silence should extend the same courtesy to others, 10927.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Interjections, interruptions and disorder:

Order and Decorum: (continued)

- The Chair had reminded the House of the importance of the matter, yet debate had degenerated to a ridiculous level, 7946.
- The member speaking was the only member with the call, 9551.
- When the Hon. Duncan Gay was in the chair on 23 October 1991, 14 November 1991, 15 November 1991 and 19 March 1992, he ruled that members should address their remarks through the Chair, so it was improper for him to address his remarks to a member on the Government benches, 10734.
- The Chair advised members, particularly those sitting in the advisers area, that if they wanted to have a conversation they should leave the Chamber. There was far too much audible noise. A Minister should not have to shout to be heard over the babble in the Chamber, 10921.
- The Clerk had advised, and *Rulings of the President of the Legislative Council* confirms, that members must not read either newspapers or magazines in the House. The reading by members of other material, including comic books, is also not permitted. However, there is no prohibition in either the standing orders or *Rulings of the President of the Legislative Council* on the reading of books by members, 11650.
- The Chair thanked a member for his attempt at being a comic, 11650.
- A number of Opposition members had been called to order. The behaviour of members was getting to the stage of being unacceptable. The member with the call was a member of the Opposition and her colleagues were asked to listen to her in silence, 12218.
- There had been a degree of name calling and slanging by both the Minister and the member with the call by way of interjection and improper speaking. The Chair suggested the debate would proceed more smoothly if members ceased interjecting and if members with the call were slightly more temperate in their

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Interjections, interruptions and disorder:

- *Order and Decorum: (continued)* comments so as not to provoke other members. The Chair asked all members to be mindful of the time that is consumed by interjections, responses to interjections and points of order that result from interjections, 13682.
- A member's reference to a Minister was in a hypothetical sense and, therefore, was not a breach of the standing orders, 13737.
- Discussions between members that inhibit the ability of others in the Chamber to listen to the member with the call are disorderly 14177.
- If members wish to have private conversations they should turn off their microphones, 14281.
- A member was directed not to tell the Parliamentary Secretary, who was at the table, what to do from the back bench, 14421.
- A member was supposed to be speaking about a bill, not asking questions about who was in the gallery, 14675.
- Members should desist from trying to give the member with the call pointers on his speech, 16096.
- The Chair had called a member to order and would do so again if he continued to interrupt, 16746.
- Members should adhere to the standing orders, 22876.

# Offensive and objectionable remarks, imputations and aspersions:

Standing Order 80 states, inter alia:

No member shall use offensive words against either House of the Legislature, or any member thereof ...

Although the member with the call had almost contravened the standing order, the House should not inhibit full and robust debate. The member with the call was asked to be cautious, 259.

The Chair recalled a ruling relating to the term "the member known as". As she did not have printed rulings to refer to, she gave the member with the call the benefit of the doubt and did not require him to withdraw his comments, 2821.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- The Chair would not ask a member to withdraw because she believed he had not used unparliamentary language. The member who had requested the withdrawal may have felt that the member had misrepresented the circumstances. It had been suggested that the matter would have been better addressed by way of a personal explanation, 3160.
- The Chair referred members to the earlier ruling of the President relating to offensive terminology and her request that members should not be unduly sensitive about some terms used in the Chamber. In those circumstances should would not require the withdrawal of the term "a real cowboy". However, she cautioned the member with the call against making remarks that could be offensive to other members, 5413.
- The level of detail to which the member with the call had gone in her argument to try to establish some impartiality on behalf of the Chair of the Standing Committee on Social Issues strayed into an area that would be best dealt with by way of substantive motion, 6643.
- Although it is a tradition of the House that debate is often robust, it is a matter for individual members to decide whether terms used about them by other members are offensive. A Minister had asked for a comment to be withdrawn. When the member with the call had done so, she could continue her contribution, 7947.
- The use by members of unparliamentary language in a collective sense is not outside the standing orders, 8566.
- The Chair would not bow to pressure from the Deputy Leader of the Opposition or to a threat of dissent from her ruling. She would rule on a point of order on the merits of the argument and not in response to the bullyboy tactics of the Deputy Leader of the Opposition. The Chair drew attention to a 20 March 1991 ruling, which stated:

There is no doubt, calling upon the standard reference books on offensive words, et cetera, that according to the practices normally followed in this House offensive words may not be used against any

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

## **Offensive and objectionable remarks, imputations and aspersions:** (continued)

member and all imputations of improper motives and all personal reflections upon members are considered to be highly disorderly.

Standing Order 81-

which is now Standing Order 91-

accords with what these reference volumes say on the matter. The practice of the House, based on the practice of the House of Commons, is that members can direct a charge against other members upon their character or conduct only upon a substantive motion that admits the distinct vote of the House.

The Chair had not yet heard in the contribution of the member with the call a charge against another member or upon another member's character or conduct that should be made by way of substantive motion. The Chair cautioned the member with the call that he should heed the ruling she had read and ensure that his comments did not contravene the standing orders such that he could not proceed except by way of substantive motion, 14603.

Collective insults towards political parties are not unparliamentary, but a direct attack on another member must be done by way of substantive motion, 18031.

## Expressions withdrawn or required to be withdrawn:

"That is exactly right, [the Minister] is not here. He does not really care. He has gone to the back room to do his wheeling and dealing. He thinks he can fix everything for usthat it will be all okay—by listening to the Sussex Street and Macquarie Street big boys", 4009. "... but on this one [The Minister] is a real cowboy", 5413, "Minister Macdonald has clearly earned the title 'Minister Monsanto". He delivers for them time and time again," 7946, "I was unable to pursue the issue because of the intervention of that duplicitous Labor lapdog in this place, the Hon. John Tingle. It is time he outed himself, formally joined the ALP and gave up the pretence of representing the Shooters Party", 13182, "The Deputy Leader of the Opposition thinks that racism and vilification is a joke", 14604.

### Points of order:

Not involved: 633, 4007, 4455, 4921, 5070, 5408, 6377, 6378, 8566, 10611, 10748, 11248, 11650, 14065, 14599, 14600, 14602, 14603, 14676, 21500, 22100, 23061.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Points of order: (continued)

### Not upheld:

A Minister's comments were more debating points than a point of order and the Chair chose not to uphold the point of order, 13681.

It is the general practice in the Chamber that Ministers speaking in reply to the adjournment debate are not restricted to referring to matters raised by members in their contributions. A point of order was not valid and the Parliamentary Secretary was permitted to continue, 16877, 16878.

### Standing Order 31 (4) (a) provides:

On any motion for adjournment to terminate a sitting:

(a) the question will be put no later than 30 minutes after the motion has been moved, or, when a Minister wishes to speak or is then speaking, at the conclusion of the Minister's remarks ...

That section of the standing orders does not make reference to matters to which the Minister, or the Parliamentary Secretary, was restricted. Reference had been made to Standing Order 91 (3). The Chair was not aware of anything said about either of the Houses or any member of those Houses that would be considered disorderly. Therefore, the Chair ruled against that point of order, 16878.

### **Upheld:**

The Chair had asked the member with the call to amend the way in which she referred to the Premier, 258.

The comments made by the member with the call about a Minister and a former Minister should be made only by way of substantive motion. If the time for debate had not expired, the Chair would have required the member to be more cautious for the remainder of his contribution, 2821.

Imputations against a member of the other House can be made only by way of substantive motion, and not during the adjournment debate, 4788.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Points of order:

Upheld: (continued)

The level of detail to which the member with the call had gone in her argument to try to establish some impartiality on behalf of the Chair of the Standing Committee on Social Issues strayed into an area that would be best dealt with by way of substantive motion. Therefore, the Chair I upheld the point of order and asked the member to continue with her arguments, 6643.

A member's comment about a Minister should be withdrawn, 7947.

A Minister would need to move a substantive motion if he wished to comment on another member of the House; otherwise his conduct would be disorderly, 10255.

It is out of order and disorderly for a member to seek to make personal reflections against another member of the House, 11009.

A member was flouting a ruling of the Chair that unreported proceedings of committees are not to be discussed until they have been reported to the House, 11277.

The matters being referred to were outside the scope of the amendment under consideration, 12841.

A member's remarks were not relevant to the bill being debated, 13679.

Interjections are disorderly at all times, 13682.

A member had the call to speak to a bill, not to reflect on a decision made in division, 19628.

Members should quote selectively and not read large extracts. To do is out of order, 19629.

The Deputy Leader of the Opposition was not speaking to a point of order and was well aware that he should not make debating points while allegedly speaking to a point of order, 4009.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Points of order:

Upheld: (continued)

- A member taking a point of had not referred to any standing order. He simply launched into a general diatribe, and that does not constitute a point of order. Members had been advised against taking points of order to make debating points and to waste the time of the member who is speaking. The member may well have thought he made four good points, but they had no standing under the rules and standing orders of the House, 4455.
- Members should not make debating points under the guise of taking points of order, 4634, 6377, 6378, 7946, 10611, 13681, 14600.
- A member's remarks did not constitute a genuine point of order, 4921, 7941.
- The Chair had already ruled that there was no point of order, and the member with the call was asked to confine his remarks to the question before the Chair, 5070.
- If the member was taking a point on relevance, the Chair would accept it, 5868.
- The Chair thanked a member for this contribution, but his remarks did not constitute a point of order, 12655.
- A member was not speaking to a point of order, 13679.
- A member may not have been happy with the Chair's ruling on a point of order, but she should canvass it. The member could continue if she confined her remarks to the bill. If she had further information to give about the bill, the House would be more than willing to hear it, but the Chair had ruled on the point of order and the member would not refer again to the matters the Chair had directed her not to refer to. The member continued to flout the ruling of the Chair. She was asked to confine her comments to the bill, 13679. The Minister had taken a point of order in relation to comments the member was making in her contribution. The Chair had upheld the point of order and given reasons for doing so. By the member continuing to refer to matters that were the subject of the point of order, she was flouting the ruling. If the member wanted to make a contribution about the subject of the bill, she could proceed, 13680.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Points of order:

Upheld: (continued)

- A member was given the call to speak to a point of order, 14189.
- A member must speak to a point of order, not comment on the member who took it, 14190.

The Chair had not ruled on a point of order, 14190.

- A member had gone well beyond putting a point of order and was debating the point. For that reason he no longer had the call and was directed to resume his seat, 14601.
- An allegation of misleading the House cannot be the basis of a point of order, 21500.

### **Procedure:**

- The Chair wished to ensure that the member with the call would not make the same speech in Committee as he was making in the second reading debate, 2072.
- In ruling on a point of order the Chair taken into consideration the content of the bill and part 2 of the Constitution Act 1902, which relates to the powers of The Legislature. Section 5 of the Act provides:

All bills for appropriating any part of the public revenue or for imposing any new rate, tax or impost shall originate in the Legislative Assembly.

That does not mean that the Legislative Council cannot consider and pass bills that originate in this Chamber and that eventually will incur some expenditure by the Government. Given that the bill did not specify the appropriation of any amount of public revenue the Chair did not consider it to be what is commonly referred to as a money bill. Accordingly, the Chair ruled that the introduction of the bill in the Legislative Council was in order, 3566.

- A member had already spoken on the bill being debated and was not entitled to speak again, 4905.
- In neither the wording of the motion to establish the Select Committee on Redfern Policing, nor the amendment, was there mention of TJ Hickey. Whilst there could be no doubt that the individual was connected strongly

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### **Procedure:** (continued)

- to the issues into which an inquiry would be held, the Chair was of the view that to refer to the detail of the matter in the way the member with the call had done was to stray slightly from the question before the Chair. Accordingly, the Chair asked the member with the call to confine his remarks not to the individual TJ Hickey but to whether an inquiry should be held into what happened at Redfern, 6662.
- The House was debating only whether a motion should be called on. If that question was agreed to, the substantive motion would be moved and debate would ensue, 7112.
- There was an item on the notice paper under the name of the member with the call. However, it was outside the order of precedence so it was not covered by the relevant standing order. The Chair had been advised by the Clerks that if a requisition is on the agenda of a committee meeting that has not yet taken place, the matter is not the subject of a committee inquiry and is, therefore, not before the House, 8566.
- The Chair asked the Clerk to ring the bells until a Minister was present in the Chamber. The Parliamentary Secretary being in the Chamber, the member with the call was permitted to proceed, 11009.
- Unreported proceedings of committees are not to be discussed until they have been reported to the House. As a general purpose standing committee had not yet reported to the House, comments on issues that were either included in the terms of reference or about which evidence was taken should not be discussed. If the member with the call confined his remarks to matters outside that scope, he could proceed, 11276.
- As the Minister had spoken in reply to a special adjournment motion, other members could not seek or be given the call to speak to it. If a member wished to seek leave to speak to the motion, the House would consider the matter. The Chair would not recognise a member calling out from the front benches and being argumentative, 11805.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### **Procedure:** (continued)

In relation to quotations Deputy-President Willis ruled:

While a reasonable quotation is perfectly proper in order to emphasise a member's argument, members should generally curtail quotations as far as possible. Members should also clearly state when they are quoting and when they are not.

### He ruled further:

The House is more interested in the arguments of members than in those of other people. Where documents are part of the public record it is suggested that members would best serve the purpose of the House by giving a synopsis of these documents rather than delivering lengthy quotations.

Members should quote selectively and not read large extracts. To do so is out of order, 19629.

A member's speaking time had expired, 17928.

- The Chair put questions on each paragraph of a motion seriatim, 19934.
- There being eight members present, there was a quorum, 21783.
- When a Parliamentary Secretary delivered his speech a Minister was present in the House. The Minister subsequently left the Chamber. That the Parliamentary Secretary was present was sufficient to satisfy the standing orders, 22100.

### **Relevance:**

- Members should confine their remarks to the question before the Chair, 634, 3557, 4628, 5070, 5868, 12207, 14676.
- A member was asked to bear the relevant standing order in mind when making her speech, 2820.
- When speaking to motions to suspend standing and sessional orders or to call on business forthwith, members must confine their remarks to those questions; they cannot debate the substantive motions, 5406, 5408, 5409. Whether a member's remarks related to precedence or the substantive motion was a moot point as the speaking time of the member with the call had expired, 5408.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

**Relevance:** (continued)

- When contributing to debate on the Road Transport (General) Amendment (Licence Suspension) Bill members could refer to road safety issues relating to the licence suspension provisions in the bill. It was not in order, however, for members to refer to road safety matters in general, 10261. Whilst the material being referred to by the member with the call was most interesting, it was not relevant to the bill before the House, 10261.
- Any document relating to the feasibility of, or planning for, a proposed primary school at Lake Cathie automatically would involve budget considerations. The Chair ruled that the comments of the member with the call were in order, 10748.
- A member's remarks were in order and he was permitted to proceed, 11009.
- Members were reminded of the subject matter of the bill being debated, 13673, 13674.
- A member was asked to confine her remarks to the bill being debated. She would be drawing a long bow to comment about a retired member of the Federal Parliament, 13679.
- A member may not have been happy with the Chair's ruling on a point of order, but she should canvass it. The member could continue if she confined her remarks to the bill. If she had further information to give about the bill, the House would be more than willing to hear it, but the Chair had ruled on the point of order and the member would not refer again to the matters the Chair had directed her not to refer to. She was asked to confine her comments to the bill, 13679.
- The comments of the member with the call were not relevant to the subject matter of the debate and were out of order. The member was asked to bear the ruling of the Chair in mind in future debates, 14190.

### **Tabling of documents:**

Leave was not granted to table a document after an audible objection from a member on the Government benches and from the Parliamentary Secretary at the table, 4010.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Use of mobile phones:

No standing order prohibits the use of mobile phones in the Chamber. However, there are rulings from Presidents and Deputy-Presidents stating that mobile phones should not be used in the Chamber, 14191.

AS CHAIRMAN OF COMMITTEES:

### Amendments:

- Standing Order 175 provides that matters beyond the original intention of a bill may be introduced, but only pursuant to an instruction, 16050. As leave had not been granted for an instruction to allow that to happen, the Chair ruled two circulated amendments ruled out of order, 68.
- Amendments ruled out of order: 68, 1288, 1302, 5719, 7662, 15493.

Amendments ruled in order, 1450, 5719.

- Two options were available to a member: the first was that he not proceed with his amendment; the second was that he proceed and if the Committee were to agree to it, the schedule would be in conflict with an earlier clause and it would then be a matter for the Minister and the department to resolve at a later date, 1455.
- The Chair sought advice from the Minister as to the working of an amendment, 3300.
- During consideration in Committee members should address the amendments that have been moved rather than seek to revisit the second reading stage of the bill. However, it is acceptable for a member to digress slightly if it is necessary to use an example to illustrate why an amendment should be supported, 4291.
- If necessary, it is acceptable for a member, when speaking to an amendment, to use an example to illustrate the point being made. The member with the call had exceeded the latitude the Chair had extended earlier to members. He was asked to confine his remarks to the amendment and to use an example as an example, not as a test case, 4295.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

**Amendments:** (continued)

Amendments that reverse the principles of a bill as read a second time are inadmissible. Standing Order 144 (3) provides:

> No amendment or new clause may be inserted which reverses the principle of the bill as read a second time.

Erskine May's *Parliamentary Practice*, 22nd edition, at page 526 states:

An amendment which is equivalent to a negative of the bill, or which would reverse the principle of the bill as agreed to on the second reading, is not admissible. Where the scope of a bill is very restricted, the extent to which it may be amended at all may thus be severely limited.

Circulated amendments appeared to seek to reverse the principles of the bill and were ruled out of order, 7662.

- The Chair allowed amendments in conflict to the considered at the same time and debated in the order in which they were moved, 9560, 9561.
- The Chair had been advised by the Clerks that amendments were not in conflict, 9571.
- If a quote was relevant to amendments before the Committee, it was in order, 13766.
- Although the example being given by the member with the call may well have related to a manipulative sex offender, the salient point being raised was whether there is a time limit on the period for which a person is deemed to be an Independent Commission Against Corruption informant. Consequently, the member 's contribution in relation to the amendments before the Committee was in order, 15063.
- Contributions of members must be relevant to the amendments under consideration. The comments of the member with the call about a specific person and his or her status, and the impact on that status as an Independent Commission Against Corruption informant if the amendments were to be agreed to, were in order. However, his comments in general about his considerations with regard to the Minister were not in order as they did not relate to the amendments, 15063.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Amendments: (continued)

The object of the Crimes Amendment (Grievous Bodily Harm) Bill was to ensure that offences under the Crimes Act 1900 relating to infliction of grievous bodily harm extend to the destruction by a person of the foetus of a pregnant woman other than in the course of a medical procedure. The amendments sought to substitute the amendment to the Crimes Act 1900 proposed in the bill and create a new offence under the Crimes Act 1900 of killing an unborn child by destruction of a foetus or destroying or inflicting grievous bodily harm on a foetus, except in procuring a lawful miscarriage or any other act done with lawful cause or excuse. Erskine May states:

> An amendment which is equivalent to a negative of the bill, or which would reverse the principle of the bill as agreed to on the second reading, is not admissible. Where the scope of a bill is very restricted, the extent to which it may be amended at all may thus be severely limited.

The objects of the circulated amendments were inconsistent with the decision of the House on the second reading of the bill. Second, the amendments attempted to introduce into the bill a subject that should be a distinct measure. Third, the proposed amendments are equivalent to a negative of the bill and would reverse the principle of the bill as agreed to on the second reading. The House had agreed to the second reading of the bill and, therefore, the scope of the amendments that may have been moved was restricted and must be limited to the object of the bill in the long title. None of the circulated amendments were cognate to the object of the bill in the long title and, therefore, were inadmissible, 15493.

Preparation for the Committee stage and the marking up of a bill is made more difficult if amendments are lodged after the House has resolved itself into a Committee to consider the bill in detail. All members should reacquaint themselves with the content of two recent memorandums concerning the lodgement of amendments after the commencement of the Committee process. The first of the memorandums indicated that amendments might be ruled out of order if lodged after the commencement of the Committee stage, 16251.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

**Amendments:** (continued)

The key to a point of order was the wording of an amendment which commenced "It is the intention of the Parliament." Such wording made the amendment in order, 18430.

Amendments would be put seriatim, 21519.

### Casting vote: 6017.

### Interjections, interruptions and disorder:

### **Interjections**

- Interjections are disorderly at all times, 1144, 1278, 1279, 1418, 2254, 10414, 12499, 19269, the Committee had many amendments to consider, 1254, and it is difficult for members to hear if there are continual interjections, 15495. The debate had been conducted without interjections and that was the way it should continue, 5859. The Chair would not hesitate to call a member to order for a second time if she continued to interject, 13766.
- Members were asked to cease interjecting, 1269, 1418, 4622.
- All members would be called to order if interjections did not cease, 15382.

### **Interruptions**

Members of the public sitting in the gallery were asked to keep their comments and conversations as quiet as possible, 1142. People may sit in the public gallery as a consequence of a courtesy extended by the Committee, but they must not comment or interfere in proceedings. If they do so, they will be asked to leave, 20299.

### Order and Decorum

- Members should direct their comments through the Chair, 1144, 1278, not to the Opposition benches, 4622, 21519, and they should not engage in discussion amongst themselves, 1298, and not get involved in slanging matches with individual members on the Opposition benches, 19269.
- A member had had an opportunity to speak to an amendment, 1299.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Interjections, interruptions and disorder:

Order and Decorum: (continued)

- The Committee has a great number of amendments to consider and members were asked to keep their conversations to a minimum, 1418, and to refrain from distracting the Minister from providing the Government's response to amendments by continually interjecting, 1279.
- The level of interjection in the Chamber was unacceptable. The Chair and Hansard were having difficulty hearing what was being said. The Treasurer was asked to speak into the microphone at the table when contributing to the debate, 10414.
- Members should address only the amendments under consideration and not engage in an amplified conversation with other members across the Chamber. Members, particularly those on the Opposition side of the Chamber, should not interject, 16594.
- The degree of interruption to the debate was unacceptable. The Chair would appreciate the co-operation of the all members in allowing the Committee to proceed in an orderly manner. It was disorderly for a member to seek the call and then launch a tirade against other members. If a member asked the Chair to call to order members who were interjecting on him, the Chair would do so. However, it was not his role, when speaking to amendments, to insult other members. A number of members on both sides of the Chamber had been called to order, and if they continued to interject the Chair would be happy to add to their score, 16809.
- Members who continued to interject and disrupt consideration of amendments would be called to order and, if necessary, removed from the Chamber, 17265.
- A number of members had been called to order and one member was on two calls. The Chair was more than happy to call more members to order if the present behaviour persisted, 19269.

## Expressions withdrawn or required to be withdrawn:

"The New South Wales Farmers Association also wants the Australian Grain Harvesters Association on the Advisory Council. The Minister has told everyone that they are the forces of evil", 1293.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

**Expressions withdrawn or required to be withdrawn:** (continued)

- If members want comments to be withdrawn, they should ask for them to be withdrawn. They should not seek to make personal explanations under the guise of points of order, 4296.
- If words are to be withdrawn, the member to whom they were directed should be present to indicate that she was offended by them and to ask that they be withdrawn. However, the member who had taken the point of order had achieved in his goal in having the location noted of the member to whom the words were directed, 15064.
- Members cannot raise imputations against individual members unless they do so by way of substantive motion, 19099.

### Points of order:

Not involved: 15064.

### Not upheld:

The key to a point of order was the wording of an amendment which commenced "It is the intention of the Parliament." Such wording made the amendment in order, 18430.

An amendment was out of order, 19778.

### Upheld:

A member was asked not to stray too far from the content of the two amendments before the Chair, 4291.

In Committee a member should not attempt to address issues that should have been dealt with during the second reading debate, 4294.

Members should confine their remarks to the amendments before the Committee, 10414.

The Chair upheld a point of order in part. The comments of a member about a specific person and his or her status, and the impact on that status as an Independent Commission Against Corruption informant if amendments were to be agreed to, were in order. However, his in general about comments his considerations with regard to the Minister were not in order as they did not relate to the amendments, 15063.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### Points of order:

**Upheld:** (continued)

- A member knew full well that he was making a debating point and was asked to confine his remarks to his point of order, 4290.
- In ruling on a point of order the Chair had taken into account rulings of former Presidents and Chairmen of Committees. During consideration in Committee members should address the amendments that have been moved rather than seek to revisit the second reading stage of the bill. Accordingly, the member with the call was asked to confine her remarks to the amendments. However, it is acceptable for a member to digress slightly if it is necessary to use an example to illustrate why he or she believes an amendment should be supported, 4291. If necessary, it is acceptable for a member, when speaking to an amendment, to use an example to illustrate the point being made. The member with the call had exceeded the latitude the Chair had extended to members earlier. He was asked to confine his remarks to the amendment and to use an example as an example, not as a test case, 4295.
- Members should not use points of order for the purpose of making debating points, 4296.
- A member's remarks did not constitute a point of order, 20438. If members want comments to be withdrawn, they should ask for them to be withdrawn. They should not seek to make personal explanations under the guise of points of order, 4296.
- The Chair understood that a point of order had been withdrawn, 9570.
- A member knew full well that his remarks did not constitute a point of order, 19099.
- Members should confine their remarks to their points of order, 19777.
- A member was not referring in his remarks to a point of order, so he knew he was out of order, 19778.

### **DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (The Hon. AMANDA RUTH FAZIO):** (continued)

### **Postponement of consideration:**

A member was invited to give a brief explanation as to why he was seeking to postpone consideration in Committee of two items in a schedule to a bill. The motion for postponement resulted from an advice from Parliamentary Counsel in the form of a drafting note, 1141.

### **Procedure:**

- The status of decisions taken by different parties whether a vote is a conscience vote—is not a matter that should be discussed in Committee; it is probably better discussed individually with the Minister, 2213.
- Members were reminded that under the terms of a resolution, members had only 10 minutes to speak to any question before the Committee, 20607.

### **Relevance:**

- Members should confine their remarks to the amendment before the Committee, 2189, 4291, 4293, 13511, 15063. Speaking in Committee was not an opportunity to give a second reading speech, 20302.
- In essence a member's remarks had been relevant, but he was asked to confine his remarks to the impact of the removal of certain words from the bill, 16810.

### **Tabling and incorporation of documents:**

- Documents cannot be tabled in the Committee of the Whole, 1255.
- The Minister declined to give leave to incorporate a map in *Hansard*, 1255.

### The Hon. ANTHONY STEPHEN BURKE:

AS DEPUTY-PRESIDENT:

### **Debate:**

- It is disorderly to reflect on legislation previously agreed to by the House, and members should avoid doing so, 4161.
- Members should not be repetitious in their remarks, 4174.
- It is common practice for members to refer in debate to amendments that will be considered later in Committee, 4924.

**The Hon. ANTHONY STEPHEN BURKE:** *(continued)* 

### Interjections, interruptions and disorder:

### Interjections

Interjections are disorderly at all times, 3287, 7758.

### Order and Decorum

The member with the call should be heard in silence, 7758.

## Offensive and objectionable remarks, imputations and aspersions:

- The standing orders explicitly provide that members may not denigrate the Queen, other members of Parliament or the Governor. The comments of the member with the call, although offensive to some, were in order, 3288.
- Under standing order 81 a member's comments were a personal reflection on another member and, accordingly, were out of order, 3289.
- The Chair drew attention to Standing Order 91 (3) and asked the member with the call not to impute improper motives to another member, 4925.
- All imputations of improper motives and all personal reflections are disorderly, 8697.

# Expressions withdrawn or required to be withdrawn:

"... he really is the ultimate smart-arse", 6408, "Daryl Maguire, the local Liberal member, has always supported the site because he owns land on the other side of the town near Bowman—the alternative site," 8697; "Perhaps the Minister would like to go over his background of lack of democracy—", 9544.

### **Points of order:**

**Not involved:** 3288, 3289, 3292, 4924, 6406.

The Chair would hear a point of order, 3288.

- Members should not seek to take a new point of order when speaking to a point of order already taken, 3288.
- The Chair had been advised that a point of order was correct and asked the member with the call to amend his speech accordingly, 7756.

## **The Hon. ANTHONY STEPHEN BURKE:** *(continued)*

### **Procedure:**

- A Minister was in order in responding in reply to comments made during the debate, 1873.
- If a member disagreed with the ruling of the Chair, certain procedures had to be followed. The member was asked to keep her remarks consistent with the ruling of the Chair, 5095.

### **Relevance:**

- The comments of the member with the call, although relevant, were bordering on breaching the bounds of relevance, 4925.
- New Standing Order 92 refers to relevance. The fact that the House was dealing with a bill that dealt with finance did not permit members to refer to every single financial option. The member with the call was asked to restrict her comments to the bill, 5095.
- Questions relating to the health system were within the leave of the bill. However, issues currently on the *Notice Paper* relating to alternatives to inquiries were well beyond the leave of the bill, 5098.

A member's remarks were in order, 6406.

The Chair had been advised by the Clerk that a member should return to issues specifically within the leave of the bill, 8183.

### The Hon. GREGORY JOHN DONNELLY:

AS DEPUTY-PRESIDENT:

### Points of order:

### Upheld:

Members should cease interjecting, 22348.

### **Procedure:**

Standing order 232, "Debate on committee reports", provides:

(1) On tabling of a report from a committee a motion may be moved without notice "That the House take note of the report."

That is what a member had done. The Chair reminded the member that substantive debate was usually adjourned to the next day on which committee reports have precedence, 23041.

# **The Hon. GREGORY JOHN DONNELLY:** *(continued)*

### **Relevance:**

There was some capacity for members to examine ancillary points when speaking to a motion, but they should confine their remarks to the specific focus of the motion, 22347.

### The Hon. PATRICIA FORSYTHE:

### AS DEPUTY-PRESIDENT:

### Adjournment debate:

The Treasurer would have an opportunity at the end of the adjournment debate to make any comments he wished, 5119.

### Debate:

- Given the rulings of former Presidents referred to by the member with the call she was permitted to continue her contribution to the third reading debate. However, debate on the third reading of a bill does not present a member with an opportunity to revisit the second reading stage, 4302.
- Ms Lee Rhiannon would understand that her debating style of referring to a member in the first person and by name without reference to title makes it difficult for her to sustain an argument that on occasions she is not making a personal attack on that member. The member has chosen not to use the convention adopted by others in this House of referring to other members in the third person and by their electorate or title. It would be much easier for everyone if Ms Lee Rhiannon were more conscious of that tradition and referred to other members in the third person, 7380.
- The interpretation of evidence given to a parliamentary committee was a matter for each member. The evidence had been public and all members could draw conclusions from that evidence, 10599, 10600.
- Under Standing Order 94 (1) a member who is providing material that is similar or identical to that which has already been given is in breach of the standing orders in terms of tedious repetition. The member with the call was reminded that in the minds of many members of the House much of what he had said was remarkably similar to that which had been presented earlier by another member. Provided the member was able to present a speech that was not identical to one delivered earlier by another member, he was permitted to proceed, 11255.

### The Hon. PATRICIA FORSYTHE: (continued)

### Interjections, interruptions and disorder:

### Conversation

Members should not engage in conversations across the Chamber, 14041.

### Interjections

- Members should ignore interjections, 684, 8802, 8804. If they do so debate will proceed in a more orderly fashion, 14042.
- All interjections are disorderly, 686, 9903, 10593, 10599, 14042, 14043, 14044, 15673, 16396, 19134, 21788, and members should not be distracted by them, 145043. Members were asked to refrain from interjecting further, 13468, 15677, 18163, although the Chair was sure the member with the call appreciated the offers of assistance from other members, 21793.

### Order and Decorum

- Members should direct their comments through the Chair, 684, 9163, 13468, 13474, 14041, 18163, 19134, 21792.
- Members can contribute to the debate at the appropriate time, 2248, 14042, 15370.
- The Chair needed no advice about the status of the article a member was reading. From all appearances it was a newspaper. The standing orders are clear: members should not read newspapers in the Chamber. The member was asked to desist, 5674.
- A convention of the House, which is supported by numerous rulings of Presidents, is that a member must refer to members of this House and the other place by their correct titles, 17820, 18276.

### Points of Order

A discussion on a point of order was not a debate; a member was asked to return to the point of order, 7380.

# Offensive and objectionable remarks, imputations and aspersions:

- Members should confine their remarks to the subject matter of the motion and not make personal attacks on other members. Members wishing to make a personal attack on another member should do so by way of substantive motion, 7380, 9283.
- A member was giving a factual outline of events. The Chair had not heard an attack on a fellow committee member, but rather an explanation of what occurred, 9285.

### The Hon. PATRICIA FORSYTHE: (continued)

### Points of order:

Not involved: 8799, 9281, 9282, 9283, 9285, 10599, 10600, 12471, 14044, 17816, 19588, 21787.

### Upheld:

Members should address their remarks through the Chair, 9903.

- The Chair was unsure whether a specific point of order had been taken. As the member had concluded her contribution, the Chair declined to rule either way, 9284.
- Members should state their points of order 21787, and not debate issue, 12978.

### **Procedure:**

- Members seeking the call must be present in the Chamber and should rise to do so. If no member sought the call the Chair would call the Minister in reply, 1904.
- It was not the intention of the Government to gag a member at the third reading stage of a bill. At the third reading stage of a bill a member has a last opportunity to state why the bill should not be read a third time. Provided the member with the call stayed within the clear guidelines set down by past Presidents, the Chair would allow him to proceed. The Chair reminded the member that this was not an opportunity to speak because he may have missed the call at the second reading stage; it was a last opportunity for him to explain why the bill should not be read a third time, 5108.
- The terms of reference of a general purpose standing committee inquiry were certainly broad ranging in that they related to the social, political and economic impact of local government amalgamations. Although there was a point to be made that in discussing the report members must be mindful of events of the past, the terms of reference referred to the political impact of amalgamations. To that extent the member with the call was in order, 7775.
- Members may refer to publicly available evidence of the committee. However, they may not draw conclusions, given that the committee had not reported. It is out of order for members to refer to discussions in a deliberative meeting of a committee, 11248.

### The Hon. PATRICIA FORSYTHE: (continued)

### **Relevance:**

- A bill focussing on the constitution objectives of the Cancer Institute also referred to the functions of the Cancer Council, to which the member with the call was speaking. Accordingly, he was in order, 1910.
- Before the time for speaking in a take-note debate had expired, a member had been speaking about matters relative to portfolios that were the subject of examination by General Purpose Standing Committee No. 4, 8799.
- Though a bill dealt with compulsory drug treatment within Corrective Services, a member who mentioned the Independent Commission Against Corruption only in passing and related those comments to the legislation was permitted to continue, 9164.
- The Chair urged the member with the call to maintain caution when referring, during a take-note debate on a committee report, to matters referred to the Independent Commission Against Corruption, 9281.
- It was not a matter for the Chair to give a member permission to continue to speak. Although the member could speak generally about advertising, he should address the specific objectives of the bill, 12978.
- Although traditionally debate on bills can be fairly wide ranging, members should confine their remarks to the leave of the bill, 14040.

### The Hon. JENNIFER ANN GARDINER:

### AS DEPUTY-PRESIDENT:

### Amendments:

An amendment to the second reading motion would be put at the conclusion of the second reading debate, 20272.

### **Documents:**

- The Chair thought the Minister had been referring to a document. If he quoted from the document, the course of the debate might have changed, 17260.
- The Chair had not heard the Minister quote from a document, 17262.

**The Hon. JENNIFER ANN GARDINER:** *(continued)* 

### Interjections, interruptions and disorder:

### Interjections

Interjections are disorderly at all times 20254, 20255, and the member with the call should ignore them, 20253.

### Order and Decorum

- As consideration of a bill would be lengthy, to facilitate that consideration the Chair suggested that members show each other a little respect, 17256.
- Members should direct their remarks through the Chair, 20253, 20254

### **Points of order:**

Not involved: 17262.

### **Upheld:**

A member's remarks were not relevant to the bill being debated, 20263.

The Chair would deal with one point of order at a time, 5278.

### **Procedure:**

Members or Ministers should not introduce new material when speaking in reply; they should address matters raised in the debate, 22866, 22867.

### **Relevance:**

It is a convention that members may make wideranging contributions to second reading debates. However, a member should not have tested the patience of the Chair or the House by referring to sedition provisions of Federal legislation that have not been included in the bill being debated. He should confine his remarks to the subject matter of the bill, 20254. The Chair suggested that the member conclude his quotation from a newspaper article at the point he had reached, take some points from the document and return to his speech, 20255. The Chair had advised the member not to test the patience of the House and he had chosen to ignore that advice. The Chair strongly urged him to return to the subject matter of the bill, 20256. It is not a requirement that the ideas expressed by a member be original. However, the Chair urged him to speak to the bill, 20256, 20263.

### The Hon. KAYEE FRANCES GRIFFIN:

### AS DEPUTY-PRESIDENT:

### **Debate:**

- It is customary during a speech on the third reading of a bill for a member to debate whether the bill should be passed. Members should confine their remarks to debating whether the bill should be passed and refrain from referring to any other issue, 4304.
- When speaking in a take-note debate, members must confine their remarks to the report of which the House has been asked to take note, 18380.

### **Documents:**

- The Chair understood that leave had not been granted to incorporate a document in *Hansard*, 13687.
- It was difficult to fully comprehend the minutes of a meeting of a committee on which many members of this Chamber do not serve. If a member wished to refer to a document that she stated had been made public through the committee process, it was a matter for the member to vouch whether that was correct. If she wished to use that document on the basis that it had been made public, that was a matter for her, 13687.

### Interjections, interruptions and disorder:

### **Conversation**

- Conversation between members across the Chamber disturbs the concentration of the member with the call, 21203.
- Members wishing to engage in conversation should leave the Chamber, 21467.

### **Interjections**

- Interjections are disorderly at all times, 15046, 17672, 18381, 18837, 20467, 20469, 21203, 21467, and members should ignore them and continue their contributions, 14183.
- Long-serving members who are experienced in the standing rules and orders of the House should not need reminding that interjections are disorderly at all times, 16081.
- Members were directed to cease interjecting and allow the member with the call to conclude his speech in silence, 17671.

# **The Hon. KAYEE FRANCES GRIFFIN:** *(continued)*

# **Interjections, interruptions and disorder:** *(continued)*

### Interruptions

Members who are uncomfortable with other members addressing remarks at them directly rather than through the Chair should ignore the remarks and look at the Chair while making their speeches rather than at members sitting opposite them in the Chamber. However, some members with the call may prefer to speak directly to those sitting opposite them in the Chamber, 15047.

### Order and Decorum

- Hansard was having difficulty recording the proceedings in the House, 8322.
- It is difficult for anyone to hear when more than one member is talking. It is also difficult for Hansard to record what is being said in the House. One member had been given the call and other members were asked to refrain from interjecting, 8323.
- Members should refrain from comment lest they erode the speaking time of the member with the call, 15042.
- A general call to order applies to members on both sides of the House. Members were asked to listen in silence to the member with the call, a courtesy the Chair was sure she would extend to others who spoke in the debate, 18381.
- Members should direct their remarks through the Chair, 21467, and not to other members, 21468.

Members should listen to debate in silence, 21467.

- Members were asked to be more respectful of one another when contributing to debate, 22230.
- Standing Order 84 (3) states:

A member not addressing the House may not converse aloud or make any noise or disturbance during debate.

- Members should comply with that standing order and behave with decorum, 22231.
- A member was asked to refrain from putting her feet on the bench, 22231.

**The Hon. KAYEE FRANCES GRIFFIN:** (continued)

# **Interjections, interruptions and disorder:** (continued)

### **Points of Order**

The comments of the member with the call were not made for the purpose of taking a point of order, 15047.

### **Ministerial statements:**

No member other than the Leader of the Opposition can speak to a ministerial statement without the leave of the House, 13137.

# Offensive and objectionable remarks, imputations and aspersions:

- No member shall reflect upon any vote of the House except for the purpose of moving that such vote be rescinded. A member was allowed to proceed bearing in mind Standing Order 78, which relates to reflections upon votes of the House, 3166.
- The Chair had not heard the term to which offence had been taken. However, if it had been used, the Chair asked that it not be used again. Members should refrain from using unpalatable language similar to that which had been used in an earlier debate, 11271.
- If a member wished to attack a member of the other place, she could do so only by way of substantive motion, 16260.
- Members may refer to matters of concern to the general community, but they must not make imputations against other members unless by way of substantive motion, 20614.

President Johnson ruled:

Offensive words must be offensive in some personal way. When a person is in political life, it is not offensive that things are said about him or her politically. There may be occasions on which remarks offensive to an identifiable member may not be regarded as unparliamentary when applied to a group where members cannot be identified.

In accordance with the ruling, members should confine their remarks to matters of policy rather than personal issues, 20618.

President Johnson ruled on 31 March 1987, as recorded on pages 9586 and 9587 of *Hansard*:

> In judging what is an offensive remark I consider that the following should be a useful guide. Offensive words might be offensive in the generally

**The Hon. KAYEE FRANCES GRIFFIN:** (continued)

### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

accepted meaning of that word. When a person is in political life it is not offensive that things are said about him or her politically. Offensive means offensive in some personal way. The same view should be applied to the meaning of "improper motives" and "personal reflections" as used in the standing order. Here again, when a person is in public life and a member of Parliament, the risk of being criticised in a political way must be taken. Politics is not an area for sensitive persons. In the course of debate when members canvass the opinions and conduct of their opponents, they must expect criticism. There may be occasions in which remarks offensive to an identifiable member may not be regarded as unparliamentary when applied to a group where members cannot be identified. Support for this view is found in the twentieth edition of May at page 433 where it is stated that expressions which are unparliamentary when applied to individuals are not always so when applied to a whole party.

I remind honourable members that allegations of a personal nature against members can only be made upon a direct and substantive motion. I urge honourable members to exercise their privilege of free speech with good sense and good taste, so as to maintain courtesy of language towards other members in debate. Personal references not only reduce the standard of debate, provoke retaliation and lead to disorder in the House, but degrade the Parliament in the estimation of the people. I shall have a copy of this statement forwarded to each honourable member.

A member had found words to be offensive to her personally and requested that they be withdrawn, 22232.

## Expressions withdrawn or required to be withdrawn:

"The honourable member for Ballina, for instance, Don Page, another Nationals liar ... ", 10483; "Offensive conduct—again probably of real interest to Jan Burnswoods opposite ... ", 22232.

### Points of order:

**Not involved:** 11273, 11274, 12370, 14183, 14783, 17673, 20614.

### Not upheld:

A member's remarks were not relevant to the question before the Chair, 17670.

A point of order having been taken relating to Standing Order 91, the Chair reminded members that on 27 February 1990 former Deputy-President Sir Adrian Solomons ruled:

The rules quite clearly provide that a member is not entitled to read a speech but a member is entitled to quote from a document, book, article, provided that the document is noted and that quotes are acknowledged.

# **The Hon. KAYEE FRANCES GRIFFIN:** (continued)

### Points of order:

### Not upheld: (continued)

Standing Order 91 (4) provides that a member may read reasonable lengths of extracts from books, newspapers, publications or documents, and that is what the member with the call had done, 17675.

A member was straying from the bill, which dealt with southern forests, and should be directed to return to the substance of the debate, 19107.

A Minister was misusing the word "adventitious", 19308.

### Upheld:

It is customary during a speech on the third reading of a bill for a member to debate whether the bill should be passed. Members should confine their remarks to debating whether the bill should be passed and refrain from referring to any other issue, 4304

Imputations of improper motives and all personal reflections on either House, members or officers will be considered disorderly, 7390.

No members other than the Leader of the Opposition can speak to a ministerial statement without the leave of the House, 13137.

A committee report had been set down as the subject of a take-note debate and it was out of order for a member to refer to it during the adjournment debate, 13386.

The prime purpose of the third reading of a bill is to ensure that members have a last opportunity to oppose it, not make a other second reading speech, 13525.

Members should confine their remarks to the question before the Chair, 15679, 21473.

Members should direct their comments through the Chair and not to other members in the Chamber, 21468.

The Chair was having considerable difficulty registering the end of discussion on the point of order, 6966.

# **The Hon. KAYEE FRANCES GRIFFIN:** (continued)

### Points of order:

**Upheld:** (continued)

- A member's remarks did not constitute a point of order, 11273.
- The Chair had not had an opportunity to rule on a point of order because members were shouting at each other, 19308.

The Chair had ruled on a point of order, 22232.

### **Procedure:**

- A member was asked to state her objection more quickly when the Chair puts a question, 4317.
- No member shall reflect upon any vote of the House except for the purpose of moving that such vote be rescinded. The member was allowed to proceed bearing in mind Standing Order 78, which relates to reflections upon votes of the House, 3166.
- If a member wished to attack a member of the other place, she could do so only by way of substantive motion, 16260.
- The President having left the House after a division, the Parliamentary Secretary could proceed with a motion that the report be adopted, 17196.
- A member was asked, in fairness to Hansard, to reduce her rate of delivery, 20614.
- The Chair had received advice that a motion was out of order and, accordingly, a division was not required, 22727.

### **Relevance:**

- Members should confine their remarks to the question before the Chair, 6945, 6966, 9169, 9319, 9916, 15042, 17670, 20466, 21468, 21473, 22230, rather than direct comments at individual members, 22232.
- A member was asked to adhere to the rules of debate relating to relevance, 20469.
- The House was debating a committee report. To ensure their remarks were relevant to the debate, members were asked to confine themselves to matters raised in that report, including comments made in either the transcript of the committee meeting or the report, 21199.

**The Hon. KAYEE FRANCES GRIFFIN:** (continued)

### **Tabling of documents:**

It is out of order to table documents in Committee; they should be tabled at the third reading stage, 2566.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

### **Amendments:**

Amendments ruled out of order, 2414.

### **Relevance:**

- Members should confine their remarks to the question before the Chair, 6965.
- A member was asked to confine her remarks to the first amendment she had moved. If she wished to seek leave to move the remainder of her amendments in globo, she could do so at the conclusion of consideration of the first amendment, 10380.

### **Reverend the Hon. FREDERICK JOHN NILE:**

AS DEPUTY-PRESIDENT:

### Amendments:

An amendment to a date in a motion could not be moved without the leave of the House, 6936.

### Chair:

A member was in danger of being in contempt of the Chair, 21501.

### **Debate:**

During debate on a bill members may refer to the content of speeches of other members, 14049.

### Interjections, interruptions and disorder:

### **Interjections**

A member who interjected was directed to allow the member with the call to continue, 3423.

### Order and Decorum

- The member with the call preferred not to have his contribution continually interrupted by the Minister at the table, 4598.
- Members of the Opposition were asked to remain silent while the Minister delivered his speech, 6521, 6522.

## **Reverend the Hon. FREDERICK JOHN NILE:** *(continued)*

### Interjections, interruptions and disorder:

Order and Decorum (continued)

- The Leader of the Opposition would have an opportunity to reply to the Minister' speech at the appropriate time, 6522.
- Members should refer to each other by their full names, not by their first names, 8190.
- Background noise was making it difficult for Hansard to hear the speech of the member with the call, 12053.
- Members should be heard in silence and should be permitted to continue their contributions without interruption, 17169.
- Members were debating a bill; it was not question time, 17171.
- A member was asked to allow the member with the call to continue her speech, 18003.
- Members should adhere to the convention of addressing other members of Parliament with respect by using their correct titles, 18398.
- A member was directed to return to her speech and members were directed to reduce the level of chatter in the Chamber, 18839.

### Points of Order

A member was asked to confine his remarks to the point of order, 4601.

## Offensive and objectionable remarks, imputations and aspersions:

- Members were asked to refrain from making implications about individual public servants, 4598, and to avoid personal reflections on members of either House, 4602.
- The standing orders provide that members cannot make personal reflections on other members. The member with the call was asked to return to the question before the Chair and deal with facts, 5545.
- Members should refrain from making implications against the character of members of the other place; members can criticise the Government but should not make references to individual members, 7381.
- Members should not use terms that are derogatory of the Chair in order to confuse the member with the call, 18839.

# **Reverend the Hon. FREDERICK JOHN NILE:** *(continued)*

### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

The Chair draw the attention of honourable members to the provisions of Standing Order 91 (3):

> A member may not use offensive words against either House of the Legislature, or any member of either House, and all imputation of improper motives and all personal reflections on either House, members or officers will be considered disorderly.

21221.

### **Personal explanations:**

Leave to make a personal explanation was withdrawn, 21501.

### **Points of order:**

**Not involved:** 4596, 6521, 6523, 7956, 18392.

### Upheld:

Members should not trifle with rulings of the Chair, 4597.

- Members should not use points of order to make debating points, 6521, 18392.
- A member's remarks did not constitute a point of order, 18392.

### **Procedure:**

- Under the standing orders the Chair interrupted the debate to allow the mover of the motion to reply to debate on a censure motion, 6524.
- Members should refrain from referring to statements made to them by the Clerk, which were made in confidence, 7382.
- A date in a motion could not be amended without first seeking the leave of the House, 6936.

### **Relevance:**

- Members were asked to return to the leave of the question before the Chair, 4596, 4597, 5233, 21081.
- Members should to confine their remarks to the subject matter of the bill, 20595, 20596, and not embark on a general discussion about advertising, 12978.
- If a member had finished his preamble he could move to the subject matter of the bill, 2107.

### The Hon. CHRISTINE MARY ROBERTSON:

AS DEPUTY-PRESIDENT:

### **Divisions:**

The Chair had heard two voices call for a division, and the division proceeded, 20941.

### Interjections, interruptions and disorder:

### **Interjections**

Interjections are disorderly at all times, and members are urged to ignore them, 23068.

### Order and Decorum

- The Chair insisted on parliamentary behaviour in the Chamber, 19020.
- A member was out of order when he referred to members of both Chambers by surname only; they should be referred to by their correct titles, 19022.
- The Chair warned members against a repetition of unparliamentary behaviour, 19022.
- Members should direct their comments to the Chair, 21355, who was listening attentively, 23069.

# Offensive and objectionable remarks, imputations and aspersions:

- A member was asked to confine his remarks to the newspaper concerning the issue at hand and not make innuendo, 9340.
- **Expressions withdrawn or required to be withdrawn:** "On one occasion I was told that members would regularly receive pornography packs from Reverend Nile ... ", 16367.

### Points of order:

Not involved: 20806.

### **Upheld:**

Members were asked to confine their remarks to the question before the Chair, 6974, 6975.

- A process is available for members to take points of order and a member had availed herself of that opportunity, 6975.
- A member may take a point of order on a point of order, 19020.
- A member's remarks did not constitute a point of order, 19020.
- A point of order was out of order, 19025.

# **The Hon. CHRISTINE MARY ROBERTSON:** (continued)

### **Procedure:**

- Under Standing Order 106 the questions relating to the third readings of two cognate bills were put seriatim, 2223.
- The Chair noted that the time for debate had expired, 19024, 19025.
- Leave to incorporate documents had been sought and granted, 20793. The question was put and there was no dissenting voice, 20794.

### **Relevance:**

- Members were asked to confine their remarks to the question before the Chair, 5264, 6974, 7813, 9333, 14592.
- Opposition and crossbench members had referred to many issues far removed from the subject matter of the bill being debated. The Treasurer's reply to the debate was in order, 8996.
- It was in order for the member with the call to refer to individual coal companies and their relationship, if any, to profit margins, 16241.

AS TEMPORARY CHAIRMAN OF COMMITTEES:

### Amendments:

Amendments ruled out of order, 1885.

### Interjections, interruptions and disorder:

### **Interjections**

Interjections are disorderly at all times, 1877, 1878.

### **Relevance:**

Members should confine their comments to the amendments before the Committee, 1877, 1878.

### The Hon. ERIC MICHAEL ROOZENDAAL:

AS DEPUTY-PRESIDENT:

### Interjections, interruptions and disorder:

### **Interjections**

- A Minister was permitted to respond to an interjection, 13508.
- Interjections are disorderly, 13750, 13753, and should be ignored, 13748.

### Order and Decorum

Members were asked to cease their banter across the Chamber, 13758.

### Points of order:

Not involved: 13758.

### **Upheld:**

A member's contribution must be relevant to the question before the Chair, 10400.

A Minister was permitted to respond to an interjection, 13508.

### **Relevance:**

- Members should confine their remarks to the subject matter of the bill before the House, 13754.
- A Minister was reminded that his contribution must be relevant. The Chair noted that the debate has been fairly wide-ranging and that a degree of latitude had been extended to members. However, he asked members to be sensible, 13757.

### The Hon. PENNY GAIL SHARPE

AS DEPUTY-PRESIDENT:

### **Debate:**

A member's remarks were in order, 21648.

### **Relevance:**

Members should confine their remarks to the question before the Chair, 21647.

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#### Budget Speech, Mini-budget and budget debate:

- The request by the Chair that the Treasurer be heard in silence applied to the Leader of the Opposition as much as to any other member. A number of members had been called to order and the Chair would not hesitate to call others to order. Any member who was called to order would be placed automatically on three calls. Those who had already been called to order would be ejected from the House the next time they interrupted proceedings, 8083, 8085.
- The Leader of the Opposition was toying with the privileges of every member of the House. His behaviour was disgraceful and he was directed to sit down and behave himself, 8089.
- The Treasurer would be heard in silence, 8093, 9787, 9789, 9790, 9791, 9795, 9799.
- A number of members had been called to order during the Budget Speech. Those calls would stand during the giving of notices of motions and questions without notice, 9812.

### Chair:

Members are not entitled to disagree with or canvass rulings of the Chair. There are procedures available under the standing orders if they wish to do so, 4056, 4989, 20695. Members should not canvass rulings of the Chair, 4989.

Chair: (continued)

No member of the Chamber was more qualified to testify to the impartiality of the Chair than the Deputy Leader of the Opposition, 15144.

### **Consideration of Urgent Motions:**

- When speaking in the five-minute debate relating to urgent motions, members must give reasons why their motions should receive priority and not debate the substance of those motions, 273, 1350, 2133, 3210, 3617, 4054, 4837, 5323, 5476, 5477, 5589, 5590, 6587, 8470, 8605, 10803, 11957, 12139, 13228, 14860, 17498, 17949, 17950, 18928, 19524, 19653, 19985, 21993, 22290, 23121, 23122, although they may make passing reference to them, 21551. When giving reasons members may make introductory or general remarks, 1350, 14990, 14991, and the Chair generally allows members some latitude when doing so, 4053.That does not allow other members to enter into the debate, 22378. Members were aware of the standing orders in that regard, 7699, 10518, 15422, and were asked to comply with them, 17333.
- The Chair had not heard sufficient to determine whether a member was addressing the reasons the motion should have priority, 273, 873.
- A member had not been speaking for long enough to outline the reasons the motion should have priority, 272, 1168, had been in the House long enough to know the purpose of the five-minute debate relating to urgent motions, 10009, was giving reasons by his motion should have priority, 21873.
- A notice of motion for urgent consideration was ruled out of order as Standing Order 120 provides for the giving of two such notices only, 872.
- A member should not have taken a point of order in relation to points of order being taken on speakers in the five-minute debate on urgent motions. The Chair had not upheld the points of order to which the member referred, and the member who took the point of order had been a member of this House long enough to be conversant with the standing orders, 4056.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Consideration of Urgent Motions: (continued)

- The Chair had heard the Leader of The Nationals say his motion was urgent, 6587.
- A claim that the member with the call was not presenting reasons why his motion should have priority. is not the same as a claim under Standing Order 138, which relates to relevance. The member who made the claim was advised to learn the standing orders, 10008.
- A member was clearly indicating why his motion should have priority. However, he was asked to take cognisance of the fact that he was dealing with a motion for urgent consideration, not a substantive motion. If he did not do so, he would be called to order, 10194.
- A matter referred to in the five-minute debate relating to urgent motions was in the public domain and had been raised in the media on a number of occasions. The standing orders do not preclude the member from making passing reference to it to show why is motion should have priority, 14241.
- The Chair was concerned that what the Leader of the Opposition referred to as a motion for urgent consideration sought to do nothing other than make a statement. If members want to address particular matters, they can raise them as matters of public importance. Under the standing orders and the precedents of the House, the notice of motion clearly would have been out of order. The Chair did not rule the notice out of order because he wanted to seek further advice about it. The Leader of the House sought to allow the matter to be discussed pursuant to the procedures of the House, 14322.
- Although only one valid notice of urgent motion before the House, the member who had given notice of that motion was still required to tell the House why it the motion was urgent, 14322, 14323.
- A point of order taken in relation to the five-minute debate relating to urgent motions had some relevance, particularly as the member with the call was reading from a text that was clearly part of his substantive argument, 18483.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Consideration of Urgent Motions:** (continued)

- The Chair was sure the member with the call had heeded a point of order claiming that he was not arguing that his motion should have priority; he was attacking the Premier, 20369.
- When arguing for priority of their motions members should not provide a lot of facts and figures that are germane to the substance of the motion, 20369.
- The Chair drew the attention of the Leader of the Opposition to the standing orders is relation to the consideration of urgent motions, 20995.
- The Chair would make a deliberative ruling in relation to Standing Order 120, 21423, 21717.
- Under the Standing Order 120 members are permitted to make statements of up to five minutes to assist the House in determining which motion should be given priority. Part of the process of establishing priority is outlining why a motion should receive immediate attention and is more urgent than the other motion. When members take points of order about a member not establishing the urgency of a motion, those points of order generally relate to members debating the substance of the motion rather than arguing why it should have priority over the alternative motion. Such points of order comply with the standing order. The Chair reminded all members that when they are arguing the priority of an urgent motion, although they can make passing mention of substantive matters in relation to that motion, principally they should seek to establish why the motion should be given priority, 21992, 22664.

#### **Debate:**

- A member was directed not to ask questions during debate; the time for questions had expired, 277.
- The Opposition had moved an amendment and the member with the call was speaking to that amendment, 880.
- When speaking in reply members should not introduce new material. As the Chair has not been present for the entire debate he was not in a position to determine whether the member with the call was dealing with new matter. However, a point of order was reasonable and member was asked to bear it in mind, 4033.

### Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Debate: (continued)

- The Chair suggested a member was referring to items in notes before him on the lectern for the purpose of his contribution rather than reading a speech, 5290.
- Although members may need to refer to notes from time to time, the Chair takes a dim view of speeches being read into *Hansard*, 9084.
- The Leader of the Opposition knew the standing orders, 13400.
- A motion to suspend standing and sessional orders related to matters that may come before the House in the future, not to matters that had happened in the past, 13400.
- The Chair was sure the Minister would heed the rules of the House in relation to speaking in reply, 13587.
- Although members have freedom of speech in the Chamber, they must remain cognisant of the fact that what is said in the Chamber could influence proceedings before the Independent Commission Against Corruption and may even draw adverse comment from the commissioner. Members should take care that what they place on the record will not draw adverse criticism from the commission or, indeed, in some way impede any investigation or inquiry the commission may undertake, 14860.
- A member should not attack another member of the House, the Premier or anyone else, in substantiating why his amendment should be agreed to. The Chair was loath to deal with a point of order which was almost a debating point, but accusations had been made on both sides of the House as to exactly what the Premier had said. The Chair did not believe that should be the substance of the debate; the subject matter of the debate should be the reasons why a motion should be amended to require the House to meet the next day, 19070.
- The Leader of the Opposition made many comments in his contribution and the Premier was entitled to respond to them in his reply, 20633.

**Debate:** (continued)

The question before the House related to the suspension of standing and sessional orders. A member could argue why he believed standing and sessional orders should not be suspended. He was dealing with material outside the leave of the motion and was asked to return to it, 21699.

A member was giving an explanation, 21708.

The overview of a bill was specific. The Chair acknowledged that Ministers and shadow Ministers make considerable preliminary remarks in their second reading speeches to put the subject of the bill in context. Nonetheless, the Chair drew attention to the overview of the bill, 22921.

### **Divisions:**

- The Chair noted that members were moving from the seats normally reserved for the Independents. That may cause confusion as to which side of the House those members are voting with. To resolve any confusion and because it was a new Parliament, the Chair asked the attendants to unlock the doors and he would allow members another minute to find their places, 427.
- The Chair was aware of confusion among new members regarding the somewhat peculiar seating arrangements. It was for that reason that the Chair had allowed members an additional minute to decide where they wished to sit; it was not because the Chair had seen members sitting on the wrong side of the Chamber, although he did observe some members standing in the passage between the two sets of benches, 427.
- Order and decorum should be maintained while the House is in division, 428, 4524, 9055. The standing orders apply during divisions, 20375.
- It appeared to the Chair that there was still confusion about the sitting arrangements in the Chamber. When the Government was voting with the noes, members on the backbench on the left-hand side of the Chair are deemed to be voting with the noes, 1037.

### **Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA):** (continued)

### **Divisions:** (continued)

- The final determination by the Chair is the question on which the House votes, 7037.
- During recent divisions the Chair had had to remind members to take their seats a few seconds prior to the locking of the doors. Little by little the procedures of the House were being eroded and a stance had to be taken. There are proper processes and procedures to be followed and members should be seated appropriately when the doors were locked, 18743.
- A member had changed his seat on two occasions during a division and was directed to return to the seat he was in when the doors were locked, 22254.

### **Documents:**

It was the Chair's understanding that a Minister must verify a document, not produce it, 21701. The Minister vouched for the accuracy of his comments to the House and that was all that was required, 21702, 21703. If he was reading from a letter he would have to identify it, although he would not necessarily have to table it, 21703. The Minister had not made reference to a letter; he made reference to notes, the accuracy of which he had verified, 21704.

### **Extensions of Time:**

The standing orders do not allow a member to move that the speaking time of another member be extended, 3871.

### Interjections, interruptions and disorder:

### Interjections

- Opposition members should refrain from interjecting, and members should not respond to, or allow themselves to be goaded by, interjections, 193, 561, 1052, 3212, 4596, 7027, 7560, 8114, 15274, 15277, 18479, 21418. Members should resist the temptation to respond to interjections, 7561, 22949. If Ministers respond to interjections the time for questions will be eroded, 18218.
- The Chair was unaware whether the member in question had heard him, but the member had been placed on three calls to order for a disgraceful interjection, 3614.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Interjections, interruptions and disorder:

Interjections: (continued)

- Interjections can be distracting, particularly when a member is delivering a second reading speech. Members should ignore them, 7562.
- A member who was interjecting needed no help from those on the Government benches, 11549.
- The Chair would not tolerate any further interjections from Government members, 14912.
- The Chair would not tolerate the constant interjections of the Deputy Leader of the Opposition while he was speaking, 19058.
- The Chair presumed there had been an interjection, 21985.

### Order and Decorum

- Members are entitled to be heard in silence, 167, 273, 876, 4988, 7017, 13253, 14099, 14110, 14701, 14848, 14849, 14912, 18897, 18901, 18904, 22273.
- A member had been blissfully quiet, and was directed to remain so, 3336.
- Calls to order during earlier proceedings would stand during question time, 4056, 8106.
- Members should be addressed by their correct titles, 5323, 5777, 7294, 14860, 18317, 18476, 21416, 21546, 23115, and the Chair expected members to comply with that ruling, 23115, 23116.
- The member with the call knew better than to contradict the Chair when she has been asked to come to order following the taking of a point of order. The Chair would not tolerate a repetition of that behaviour. The member was directed to remain seated until the Chair had heard the point of order, 272.
- Members who wish to contribute to debate may do so at the appropriate time, 277, 877, 878, 1060, 4956, 7345, 7561, 15136, 18077, 17841, 21385, 21703, 21710, 22662, 22921, and in the meantime members should make their contributions in an orderly manner, 10963, if issues are raised in debate that they feel compelled to deal with, 21708.

### Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

- Members are entitled to their full speaking time, 414, were asked to restrain their enthusiasm, 560, 6747, 21544, were directed to resume their contributions to the debate, 5288, were reminded that they had been called to order for their disgraceful behaviour, 5476, were grossly out of order, 11443, were clearly wasting time, 13587, should not incite those on the other side of the House, 15417, 22662, should confine their remarks to the question before the Chair, 19071, and comply with the standing orders, 19072, were asked to stop their interchange, 20692, were directed to address the Chair in the proper manner, 19795, should maintain the dignity of the House, 18890, 21704, should comply with the standing orders, 22777.
- After claiming that the ruling of the Chair would have been different if a Coalition member had made the type of comment made by a member of the Government, the member with the call was directed to resume her contribution to the debate, 877.
- The Chair was having difficulty hearing the member with the call, 881, needed no help in announcing when a member's speaking time had expired, 6185, will not tolerate outbursts or nonsense from members, 8201, 8202, would be tolerant on the first sitting day of the new session, 17608, expected better from a member, 21119, was reluctant to call a member to order but would do so if the member's behaviour continued, 22273, suggested a member choose his words more carefully, 23120.
- The Chair had not noticed whether a member was chewing. He assumed that the observation was correct and reminded members that strict standards apply to acceptable behaviour in the Chamber, 4374.
- If the Leader of the Opposition tried to read a statutory declaration into *Hansard* he would be grossly out of order, 5134. The Chair had asked the Leader of the Opposition to proceed. He had standing at the lectern, deliberately saying nothing. A number of members were on three calls to order. The Chair would direct that they be removed from the Chamber if their behaviour continued, 8214. The Leader of the Opposition was directed to stop calling out insulting remarks, 15981, should not give directions to Government members, 17610, had already contributed to the debate and was directed to resume his seat, 20634.

### **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

- It is a tradition that the Chair allows the Leader of the Opposition more latitude than other members. In the past the Chair had followed that tradition. However, by his actions the Leader of the Opposition had shown no leadership. By inciting gross disregard for the rules of the House he had shown that he has no respect for the Chamber, for the principles it upholds, or for members of the public, who put their trust in member of the Chamber. Bringing an item such as a box into the Chamber is disorderly. The Chair did not blame the Leader of the Opposition for that. He blamed the Deputy Leader of the Opposition, who attempted to hide the box from the Chair, albeit unsuccessfully. The Deputy Leader of the Opposition was placed on three calls to order and removed from the Chamber, 5776.
- Members should address their remarks through the Chair, 5286, 5287, 5775, 6114, 7019, 8114, 10964, 12736, 12875, 13260, 13870, 14099, 14316, 15274, 17090, 17330, 17464, 17940, 17942, 17943, 17946, 18077, 18085, 18741, 18899, 20115, 20117, 20514, 21541, 21549, 21711, 22955, and not to the gallery, 5287, and not other members, 21708.
- The Chair warned those members who had been called to order, including those on three calls, that although question time had concluded the calls to order would stand at least until the conclusion of debate on the urgent motion, 6431, 6840.
- A member's speaking time had expired and he was asked to resume his seat, 7564.
- During question time the Chair had warned members about stunts. No-one was impressed, least of all the Chair. The Chair was loath to make an example of members, but every member who was participating in the stunt by holding up the front-page article was aware that their actions contravened the standing orders. Newspapers are not allowed in the Chamber, and there are specific precedents in relation to the use of props, 9054.

### **Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA):** (continued)

### **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

- A degree of latitude is usually extended to members speaking in a second reading debate. However, the Chair expected all members to respect the standards of the Chamber and allow the debate to proceed in an orderly fashion. The member with the call should make his contribution relevant to the bill, and others members should cease interjecting, 10963.
- If a member continued to address the Minister across the Chamber, the Chair would not be held responsible for the Minister's interjections. There are proper ways to address the Chamber. The Chair would not take any action against the member as he was a relatively new member . However, the Chair warned him that when he spoke in future he should respect the standards of the Chamber and address the Chair, 10964.
- A Minister would have an opportunity to respond to the debate and to point out any irrelevancies or inaccuracies in it, 10964.
- The Chair was reluctant to eject members from the Chamber at a late hour of the day. However, he would do so if there was a repeat of a recent outburst. Members would respect the standards of the House and conduct debate in the proper manner. The Chair would not tolerate members screaming and yelling at each other across the Chamber, 11064.
- The next time a member transgressed he would be removed from the Chamber, 11548.
- Visitors in the public gallery were advised that the use of cameras in the Chamber is not permitted, 11946, and that they are guests of the Parliament and they should comply with the standing orders, 18743.
- The Chair noted the retort of a member, when called to order, that it would not be the last time he was called to order. If his present behaviour continued he may not be present in the Chamber to be called to order again. Although the Chair was keen to extend a degree of latitude to members and to allow a measure of interaction between them, the standards of the House would be upheld, 12568.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

- A member may have been the longest-serving shadow Minister for Aboriginal Affairs, but he would not be in the Chamber for long if he did not behave himself, 13213.
- There was far too much noise in the area behind the Chair. The precincts of the Chamber are subject to the same standing orders relating to disruption and noise that apply to the Chamber. It was impossible for proceedings to continue if those in the vicinity of the Chamber are making too much noise, 13253.
- The tactic of a member was transparent and it belittled him, 13588.
- The Chair was not happy with the way the debate was being conducted; it would be completed in the proper way. All members in the Chamber were deemed to be on three calls to order. The Chair would not hesitate to have them removed from the Chamber if they transgressed further, 13588.
- The member giving a notice of motion was asked to read the motion again as the Chair was unable to hear it. Members would be called to order if they disrupted the member while he was doing so, 14096.
- Question time would start late, but it would finish early for several members if their behaviour continued, 14701.
- A member had had the opportunity to contribute to the debate, 14909.
- Members who were on several calls to order were deemed to be on three calls. Debate would be conducted in accordance with the rules of the Chamber, 14849.
- Government members who were holding up newspaper reports were directed to place them out of sight, 15981.
- Hansard was having trouble hearing the Leader of the House, 16141.
- It is disorderly to read newspapers in the Chamber, 16676.
- The Chair would not allow the Leader of the Opposition to rally calls of support from those on the Opposition backbench by deliberately directing questions to them, 17090.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

- The Leader of the House was directed to proceed with his motion, 17608, was dealing with a serious matter and the Chair wanted to hear what he had to say, 18085.
- A member was directed to heed his own advice after taking a point of order in relation to the volume at which the member with the call was speaking, 17608.
- Members had listened courteously and without interjection to speakers in the debate on a motion on censure, and the subject matter of the debate should have been sufficient indication to members that they should observe the procedures of the House, 18901.
- A member knew his remarks were outside the leave of the question before the Chair. He was directed to return to the issue at hand, 19832.
- The Chair could not allow four members to stand in the Chamber screaming at one another. That behaviour was disgraceful and did nothing to enhance the regard in which the Chamber is held. He would allow a member to ask for a comment to be withdrawn but would not allow further screaming across the Chamber, 21713.
- A Leader of The Nationals was advised that the debate would not be won or lost on whether he could match or better the performance of the honourable member for Murray-Darling, 22663.

### **Points of Order**

A point of order sought to be taken by the Leader of the Opposition when the Premier had barely uttered four or five sentences in answer to a question without notice would need to have substance, 542. As the Premier had been speaking for less than thirty seconds, the Chair hoped that sufficient had been said to base a point of order, 3737. The Chair could not understand how the Leader of the Opposition could take a point of order when the Premier had been speaking for barely 30 seconds, 6250, 8106, barely a minute, 21106. The Chair was reluctant to uphold a point of order after the member with the call had been speaking for only 40 seconds, 21118. The Premier had uttered little more than five words before a point of order was taken, 21542.

### **Interjections, interruptions and disorder:** *Points of Order:* (continued)

- Members should not trifle with the Chair when taking points of order, 864. Members were abusing the point of order rule, 8891. Members taking points of order should address the Chair, 21541. Members may take points of order, but they should not cast aspersions on other members, 21872. When members are given the call to take points of order they should state their points of order instead of making statements, 20694, 20846.
- Members cannot give their own versions of speeches, make explanations or debate answers to questions without notice under the guise of points of order, 19352, 19354, 20986, 20989, 20992, 22372, 22366, 21862, 21867. Members cannot take spurious points of order to create an opportunity to speak again, 20846. Any member who took a spurious point of order would be deemed to be on three calls to order, 21549.
- On a number of occasions members of the Opposition had sought to take points of order when clearly no point of order was involved. They were using a deliberate tactic to interrupt the flow of the answer being given. The Chair would not tolerate frivolous, spurious or irrelevant points of order. They would result in calls to order and the members involved not being in the Chamber at the conclusion of question time, 1751, 1752, 3201, 3475, 7018, 21106, 21107, 21855, 22278. A member had been in the House long enough to know that his point of order was frivolous, 21564.
- If the Premier had not been constantly interrupted by points of order, he may have been able to complete his answer, 1752.
- The Chair would not tolerate points of order being used as a strategy to constantly interrupt the speaker, 3738, 3902, 22956, to interrupt the flow of answers to questions without notice, 7691, 8468, 21109, to make debating points, 17601, merely to disrupt proceedings, 17326, 21111, to waste time, 21710, because they do not like the answers to questions without notice, 4828, 8468, 17874, 17875, 18610, 21111, 21691, or to simply repeat a question, 18322.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Points of Order:* (continued)

- The Chair would hear no further from the Leader of the Opposition on a point of order, 6250, would not entertain a further point of order in relation to a personal explanation, 6347, would not rule further on a point of order taken under Standing Order 138, 7026, declined to hear any further points of order, 23116.
- Standing Order 138 applies provided a point of order has substance. A point of order had no substance as the Premier was answering the question he was asked, 1752. A member was sufficiently aware of the standing orders to know the content of Standing Order 138. He knew his point of order was nonsense, 4364.
- Rulings of past Speakers in relation to relevance were consistent. Matters relating to relevance will not be used to disrupt an answer of the Premier or a Minister. A member knew only too well that his point of order had no substance; he was merely trying to break the flow of the Premier's response, 7018.
- Points of order should be relevant. If they are not, members who try to pull stunts will be called to order, 7691.
- The Chair had difficulty understanding a question without notice, which was lengthy and contained a purported quote. The time taken to ask the question was longer than the Minister was given before he was interrupted by the member who had asked the question taking a point of order. The Chair did not understand how the member could ground a point of order, 7862.
- The Chair was tempted to regard a point of order as another question without notice, but would not do so, 8207.
- A member had twice taken what he claimed were points of order in relation to relevance. However, his remarks were far from being points of order; he should have known better. The Chair would not allow question time to conclude in such a way as to bring disrepute on the Chamber; some members may well leave the Chamber for the rest of the day. The Chair would listen to and adjudicate upon proper points of order, 8468.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Interjections, interruptions and disorder: *Points of Order:* (continued)

- The Chair did not intend to give the Leader of the Opposition the call to take a point of order when he clearly had no intention of doing so, 8884.
- The Chair had not heard sufficient of the Premier's response to a question without notice to rule on a point of order, 9047.
- A member had repeatedly and deliberately contravened the standing order by taking totally irrelevant points or order. On a number of occasions the Chair had warned him about his gross misbehaviour. The Chair would show him no leniency if he again behaved in that way during question time, 11056.
- A member knew as well as every other member that being given the call to take a point of order does not entitle a member to debate the matter about which a Minister is speaking during question time, 11703.
- The Chair drew the attention of the Leader of the Opposition to a point of order claiming that he was debating matters that had occurred in question time, and not the question before the Chair, 13400.
- A member had not been given the call to take a point of order. He was directed to return his seat and seek the call in the appropriate way, 14706.
- A member regularly attempted to make statements while claiming he was taking points of order. The next time he did so, he would find himself outside the Chamber immediately, 14709.
- The Leader of the Opposition had raised a matter of relevance in a point of order. However, he had blotted his copybook by his behaviour when he took the point of order, 15985.
- A member who had already contributed to the debate was directed to resume his seat, 19349.
- Unless a member was taking a point of order on the Chair giving the call for the next question without notice, there was nothing before the House on which he could take a point of order, 19517.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Points of Order:* (continued)

- The Chair would listen closely to a point of order. If the member tried one of his usual stunts he would be removed from the Chamber, 20359.
- The Chair suggested that a member resume his seat if he believed the Chair was clairvoyant and could guess what his point of order was. The member was asked to state his point of order instead of indulging in panegyrics, 20693.
- The Chair was sure a member was grateful that spurious points of order were giving him an opportunity to regain his breath, 20698.
- It is open to members to raise various issues in points of order. However, the Chair would not tolerate interjection and calling out. The Chair would no hesitation in calling to order those members who called out from their seats for no purpose other than to disrupt the proceedings, 21109.
- A member could not keep disrupting the Premier's answer by saying "My point of order is relevance." The Premier was answering the question he was asked, 21694.
- The Chair hoped a point of order would comply with the standing orders of the House. The member was disrupting the House and was directed to resume his seat, 21697.
- The Chair wanted to hear a point of order; 22277, he would assess the seriousness of it, 21703.
- The Chair was inclined to entertain a point of order, but the member had gone off on a tangent, 21857.
- Members of the Opposition had a habit of seeking to provide an additional explanation or to debate the issue under the guise of taking points of order. That is clearly in breach of the standing orders, 21862.
- A number of points of order in relation to relevance had some substance, but recent points of order had been nothing more than attempts to disrupt the Premier's reply. The Chair did not take kindly to that and intended to give a definitive ruling in relation to points of order relating to relevance, 22278.

## Interjections, interruptions and disorder: *Points of Order:* (continued)

- A member had been given a fair go on a point of order, 22369. A member may have had a point, but it was not a point of order, 23115.
- The Chair took a member's remarks to be a comment about being unable to hear a Minister rather than a point of order, 22375.
- The Chair took it that the Leader of the Opposition wished to take a point of order and did not intend to respond to a Minister's invitation, 22376, that the Deputy Leader of the Opposition sought to take a point of order and not attempt to dispute the Premier's reply, 22655.
- Points of order should be points of order and not speeches, 22657.
- Because of a member's parliamentary experience and because he knew that his point of order was out of order, he was placed on two calls to order, 22659.
- The Chair wanted to hear further from the member with the call before ruling on a point of order, 22663.

### Questions without notice

The Leader of the Opposition was on two calls to order and question time had barely commenced. He was directed to observe the standing orders and traditions of the House or he would be removed, 403, to resume his seat and seek the call to take a point of order, 403, to control his behaviour, 3475, to show leadership, 1661, 6833, 7163, 18320, 19058, to desist from behaving like a schoolboy; the Chair would not tolerate his behaviour, which was disrespectful to the Chamber and to its standards, 10506, to stop yelling, 12736, to stop displaying pieces of paper, 13395, to stop calling out, 15795, to allow a Minister to answer the question, 17493, to behave like the Leader of the Opposition, 18611, to stop using slang language, 18611, to use parliamentary language, 7171, to not obstruct the proceedings of the House, 20687, to stop taunting the House. His behaviour was disgraceful, 403, 8109, 14312, 18611. He had been called to order on several

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- occasions and had defied the Chair on each of those occasions, 1553. His remarks were a gross reflection on the Chair. He knew the standing orders of the House, 18076, and was asked to abide by them; it did him no credit to interject in a schoolboy way, 4364. He should be seeking a response to a question without notice, not providing an answer, 7163. The Chair took exception to his outburst and the unparliamentary language he used, 7163. The Chair would not tolerate his behaviour, 7447. He was deliberately defying the Chair, 14101, was flouting the standing orders, 17738, 20843, was wasting the time of the House, 21541, was abusing the standing orders, 21980, was flouting the ruling of the Chair, 22278, was breaching the standing orders, 22947. He had conducted himself in a grossly disorderly way; had he been in a schoolroom he would have been suspended, 13060. He was abusing the standing orders and he knew his actions were totally outside the standing orders, 18921. He had read the correct standing order but had misinterpreted the meaning of it, 19353. He was directed to resume his seat and comply with the standing orders, 19975, 20983. He knew that question time was not a time for debate, 20983, 20988.
- The Chair was having difficulty hearing a Minister, 122, 9412, 19821, 19830, a question, 5128, 10861, 21696. A Minister would like to hear the question he was asked, 19175.
- The Chair had been patient but would not tolerate the behaviour of members of the Opposition. Although the Legislative Assembly is a robust Chamber, nothing is to be gained from such behaviour, 264.
- If members persisted with their behaviour, did not resume their seats or if the Chair enforced the standing orders, they would be removed from the Chamber, 264, 869, 1048, 1164, 1655, 2129, 2946, 2949, 3475, 3906, 4518, 6721, 9182, 9184, 14643.
- Members of the Opposition were flagrantly contravening the standing orders. The Chair referred particularly to a member who interrupted a question by yelling out an inane interjection. All members of the Opposition were testing the patience of the Chair, 265.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Interjections, interruptions and disorder:

Questions without notice: (continued)

- To throw a piece of paper across this Chamber is grossly discourteous, 12575, and disorderly and the Chair took strong objection to it, 403. Since the Chamber was constituted the throwing of material across the Chamber has always been regarded as a gross act of disorder. It offends against the standing orders and the Chair would not tolerate it, 16441.
- Members who contravene the standing orders by interjecting must accept the consequences, 406.
- There was so much conversation on the Opposition frontbench, most of which was silly childish chatter, that it was almost impossible to hear the Minister, 409.
- The Leader of the Opposition had had far more to say than the Premier in response to a question asked by the Leader of the National Party. The Chair had allowed the Leader of the Opposition considerable latitude, but he would no longer tolerate his constant interjections. If the Leader of the Opposition wanted to say something, he should do so by using the proper forms of the House. His interjections showed absolutely no leadership, 3330.
- Question time had not concluded and calls to order against members stood, 411, 1165. Calls to order stand when the time for questions has expired, 3334.
- Members of the Opposition had been particularly rowdy and several of them were on three calls. Although only a short time for questions remain, those members may not be in the Chamber for the conclusion of it, 869.
- Members who were called to order, who had been called to order, who had been called to order twice or who attracted the attention of the Chair were deemed to be on, or would be placed on, three calls, 869, 2946, 3742, 3900, 3901, 4074, 4518, 4980, 5586, 5769, 5774, 6163 6251, 6336, 6714, 7167, 7446, 7595, 7691, 7855, 8211, 8706, 10507, 10794, 13571, 13572, 13869, 14102, 14638, 15579, 16441, 16917, 17326, 18319.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- The Chair was pleased that so many members were enjoying question time. However, other members would find it more enjoyable if they could hear the Minister's 'answer, 1049.
- Little more than five minutes of question time remained. Several members were on at least two calls to order and one member was on three calls, 1164.
- Members who have asked questions should extend Ministers the courtesy of listening to the replies, 1553, 2945, 4074, 11291, 13953, 19061, 20354, 21412, in the same way as the Premier had accorded the Leader of the Opposition the courtesy of listening in silence to his question, 4980.
- The behaviour of a member was disgraceful and did not befit of member of the Chamber. If he again behaved in the same way, his stay in the House during question time would be very short, 1557.
- A member who had taken a point of order had defied the ruling of the Chair on the point of order and had been called to order a second time. He continued to defy the ruling and had been called to order a third time, 1557.
- The Chair had shown a great degree of tolerance to the Leader of the Opposition. His constant interjections and unseemly remarks did him no credit, 1661.
- Time and again the Leader of the Opposition had used the tactic of interrupting the Premier by taking a point of order and restating his question. The Chair would not tolerate similar points of order being taken in the future. They were deliberate attempts to disrupt the House and were grossly disorderly, 2121.
- The fact that the House had been sitting for only a short period after a long break was no excuse for the disruptive behaviour of some members, 2946.
- The Leader of the National Party had passed around a number of stickers. The Chair hoped the stickers would not be used during question time or otherwise displayed

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- in the Chamber. It was obvious that this was a pre-determined stunt; it was childish and out of character. The Premier had been asked a question relating to a matter of concern to the community and the Premier's response should be treated with the dignity it deserved, 2954.
- On a number of occasions the Chair had asked the Leader of the Opposition to come to order. He had been very patient with his boyish attitude and behaviour. His constant caterwauling did him no credit and showed no leadership. While the Chamber welcomes a constructive Opposition and constructive contributions to the process of government, it does not welcome childish interjections, silly calling out or the manner in which the Leader of the Opposition had behaved, 2949.
- The Chair needed no assistance from the Leader of the National Party in relation to the standing orders, 3082.
- If members of the Opposition ceased interjecting, they may have been able to hear the Premier's answer, 3470.
- The Chair of the Standing Committee on Natural Resource Management had not spoken at sufficient length for the House to determine whether what she was saying was relevant to the question. The Chair was unable to understand how the Leader of the Opposition could take a point of order on the basis of what she had said, 3609.
- The level of disruption during question time had been unacceptable. A number of members had deliberately attempted to disrupt proceedings. Those members knew who they were because they had been called to order, 3742.
- The Deputy Leader of the Opposition was on three calls to order and a repetition of his disgraceful behaviour would result in his removal from the Chamber. His removal would be his second during the current session, and his expulsion would not be for question time only but for the whole of the day. The Chair would not tolerate the behaviour of the House. Members who did not comply with that direction would be removed from the Chamber, 3900.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- There had been constant calling out and needless interjection, particularly from the Opposition benches. Interjections would not be tolerated while a Minister was speaking, 4074.
- The Leader of the Opposition has the right to ask questions without notice. He does not have the right to continually interject throughout questions time or to ask questions from where he was seated. That is particularly so when Ministers are answering questions, 4364.
- The Leader of the Opposition was directed not to interrupt the Chair. The Chair had given him some advice and the Chair expected him to accept that advice. Question time is set aside for members to ask questions and for Ministers to answer those questions. The interjections the House had heard did no-one any credit, 4364.
- It was not a standing order of the House that Ministers are not to use representations given to them by other members, 4366.
- A Minister needed no encouragement from Government members, 4367, or assistance from the Leader of the Opposition, 4511.
- The Leader of the Opposition should listen to the response from the Premier rather than provide the response himself, 4512.
- A member's feigned indignation was less than convincing. The Chair had indicated the previous day that he might call the member's his attention to Standing Order 138. The Chair had not done so. At the time the member took that remark in jest, and his feigned indignation did him no credit, 4515.
- The Premier was allowed to continue his response, 4515.
- The Minister, not a member who had interjected, was answering the question, 4516.
- The Chair was sure a Minister would return to his answer, 4517, had concluded his preamble and would come to the answer to the question, 4521, would reply directly to the question he was asked, 6580, would weigh

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- the matters raised in a point of order, 9409, was coming to the end of her answer, 15145, the Premier had heeded matters raised in a point of order, 15306, the Premier was only making some preliminary remarks and would continue with an appropriate reply, 14850, a number of members were interested in the Premier's reply, 21542, Professor John Gullotta from the Australian Medical Association, like the Deputy Leader of the Opposition, could look after himself, 22283.
- Despite the fact that only a little more than eight minutes remained until the conclusion of question time, there were still eight questions to be asked, 4518.
- The time for questions had not expired; one question remained to be asked. The constant interjections of both Government and Opposition members were not only prolonging question time; they were preventing the Minister from answering the question, 4835.
- Although it was early in question time a number of members had already misbehaved in a grossly disorderly way. The Chair intended to take a much more strict view of interjections. They would not be tolerated, and members who continued to interject would be quickly removed from the Chamber, 4980.
- A member who had taken a point of order seemed to be better at speaking than mathematics because the Chair's detailed calculations showed that the Minister had been speaking for nothing like 11 minutes, 5128, or 10 minutes, as had been claimed, 5131.
- A Minister should be given the opportunity to answer a question, and needed no help from the Opposition to do so, 5581.
- The actions of those on the Opposition frontbench were nothing less than disgusting. The constant calling out and interrupting of Ministers' answers demeaned the dignity of the House and all of its members. Members should ensure that they conduct themselves with proper decorum. The

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- House enjoyed a lively debate, but constant, banal calling out serves no purpose whatsoever and does those responsible no credit, 5584.
- If members were removed from the House it would not be merely for the duration of question time and the debate on the motion for urgent consideration, 5586, or for the customary few hours. They would be removed not only from the Chamber but from the precincts of the Chamber until the House resumed the next day, 5769. The Chair did not propose to extend any further latitude to members, 5774.
- A Minister was asked to use the microphone as Hansard was having difficulty hearing his answer, 5774.
- One minute of question time remained and the Chair would rather not direct that members be removed, 6069.
- Ouestions and answers will be heard in silence. 269, 409, 1164, 3083, 3478, 4639, 4982, 5775, 6070, 6250, 6251, 6255, 6341, 6344, 6714, 6829, 6832, 6834, 6836, 6837, 7022, 7161, 7167, 7446, 7593, 7595, 7697, 7857, 7861, 8001, 8003, 8006, 8008, 8010, 8111, 8205, 8211, 8468, 8601, 8602, 8603, 8703, 8706, 9046, 9183, 9408, 9607, 9822, 10184, 10187, 10505, 10658, 11287, 11435, 12748, 12872, 13222, 13394, 14101, 14232, 14638, 14927, 14932, 14985, 15420, 16440, 17326, 17329, 17599, 17603, 17878, 18320, 18615, 19059, 20689, 20690, 20693, 20986, 21265, 21540, 21548, 21690, 21860, 21978, 22278, 22279, 23113, and the Chair intended to make an early example of any member who disregarded that warning, 7690.
- Members were obviously enthusiastic about question time after a long break. However, the Chair would not tolerate interjections such as those the House had heard. During the last session there had been many similar interjections, and they attracted a great deal of adverse public comment. Although members may behave in a robust way during question time their behaviour must comply with the standing orders, 6163.

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- Members must comply with the standing orders, 6163, 20984, and must not interject when the Chair is speaking, 7018.
- The Leader of the Opposition well knew that the purpose of questions is to seek answers. He was warned that a repetition of his behaviour would result in urgent action being taken. His schoolboy debating tactics had no place in the Chamber; he should show leadership, 6250.
- If the aim of the Leader of the Opposition was to provoke the Chamber with another tawdry tactic similar to others he had used, it would not work, 6250.
- The behaviour of the Chamber during question time had been nothing less than disgraceful, 6251, 18741.
- Question time had barely begun and there had been far too much noise and outrageous behaviour. The Chair warned members early that he would not tolerate a repetition of the behaviour that occurred at the start of question time the previous day. It may well be that some members would themselves out of the Chamber before the conclusion of question time, 6336.
- A number of members had become somewhat excited during the Premier's answer and had been called to order, 6714.
- Several members of the Opposition had been warned about continually interrupting question time. The Chair had extended a degree of latitude to the Leader of the Opposition and the Leader of The Nationals. However, the Leader of The Nationals was not exempt from the standing orders. He should show leadership. If he did not and continued to behave in the way he was behaving, he would be removed from the Chamber in the same way as any other member would be removed, 6718.
- The Chair would not tolerate the sorts of interjections heard in recent weeks, which did not add to the substance of the debate at hand or to the question, 6829.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- A number of members were deliberately attempting to flout the rulings of the Chair. They appeared to be provoking the Chair into taking action which they would regret, 6832.
- The Chair had given a ruling and would give the Deputy Leader of the Opposition one more opportunity to resume his seat. If he did not do so the Chair would ask the Deputy Serjeant-at-Arms to remove him from the Chamber, 7019.

A Minister was asked to resume his reply, 7025.

- A member knew precisely what the Chair was talking about. The issue he raised in a point of order was not the issue the Chair raised with the Leader of the Opposition, 7163.
- The Chair was not making remarks, as a member had claimed in a point of order. The Chair was delivering a ruling. The member should know the standing orders and behave appropriately, 7169.
- The previous day question time had run smoothly because members complied with the standing orders. The Chair warned all members that he would not tolerate constant calling out and interjection, 7446.
- The Chair would not tolerate constant disruption. Earlier he had warned members about calling out and interjection. Some members seemed to be adopting an alternative tactic of talking loudly amongst themselves. The Chair would call members to order if they continued to do so, 7446.
- The Leader of the Opposition was deliberately defying the Chair and the standing orders of the House. The Chair reminded him that he was on three calls to order. The Chair's tolerance had reached its limit, 7447.
- A member knew the standing orders well and had deliberately flouted them and the ruling of the Chair, 7592.
- A concerted effort was obviously being made to disrupt the proceedings of the House. Although question time was the last for the week, some member may have found themselves out of the Chamber before question time was over, 7595.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Interjections, interruptions and disorder:

Questions without notice: (continued)

- If there were fewer interjections from the Opposition, the Premier may be able to answer a question, 7597.
- The Chair would not tolerate the sort of behaviour the House had witnessed, 7691.
- The attitude of a number of members of the House was offensive and showed no respect for the standards of the Chamber. The Chair noted particularly the Leader of The Nationals, who, despite having heard the Chair warn members on a number of occasions that both questions and answers were to be heard in silence, continued to yell out about matters that were unrelated to the issue at hand. He was asked to conform to the standards of the House and observe the standing orders, 7696.
- The conduct of the Chamber was clearly below the expected standards of behaviour. Such behaviour, which was offensive to the Chamber and offended against the standing orders, would not be tolerated. The Chair also warned members that he would not tolerate points of order being taken to deliberately break the flow of proceedings in the Chamber, 7855.
- The Chair had repeatedly requested the Leader of the Opposition to comply with the standing orders. The tolerance of the Chair in relation to the Leader of the Opposition extended only so far. He was again asked to comply with the standing orders, 7856.
- A member had deliberately flouted the standing orders, 8002.
- Question time would be conducted and completed in an orderly and proper manner, 3900, 6832, 7855, 8006, 8468, 9816, 12872, 16441, 18319, 18320, in accordance with the standing orders, 22278, and the standards of the House would be respected, 11435, and upheld, 12384, 12572.
- Members need no prompting when asking questions, 8010.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- On several occasions the Chair had sought to give guidance to the Leader of the Opposition. On more than one occasion he has continued to interject and backchat the Chair in the same way a schoolboy would backchat his teacher. The Chair would not tolerate that behaviour. Usually the Chair extended a degree of latitude to the Leader of the Opposition because of his status and his position. However, he is not immune from the standing orders of this House, 8109.
- The Chair reminded all members that question time had not ended. A number of members were on three calls to order. The Chair suggested that if they wanted to leave the Chamber before the end of question time or before the conclusion of the day's sitting, they should keep behaving in the way they had been behaving, 8114.
- The Chair would not tolerate the constant interjection and he level of noise in the Chamber. One member had already been called to order, and several others deserved to be on calls to order. The Chair specifically warned the Leader of the Opposition not to continue his constant interjecting while Ministers are answering questions, 8205.
- A member knew the standing orders as well as, if not better than, most members. He knew that he was grossly out of order and was asked to show leadership, 8463.
- The Leader of The Nationals should comply with the standing orders. It was a matter for a member to take exception to what was said if he believed that was warranted, 8468.
- The Deputy Leader of the Opposition is the most thick-skinned person in this Chamber. The Chair did not believe he would take exception to any of the descriptions used, 8468.
- Members were reminded that the time for questions had not expired, 8469.

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- The Chair would not tolerate members yelling out from their seats in a deliberate attempt to interrupt the flow of proceedings. Members should show the House some respect and the Premier and Ministers answering questions should be treated with decorum. Members would be called to order is their disorderly behaviour persisted, 8700.
- Members were deliberately engaging in loud conversations in order to disrupt the proceedings of the House. The Chair would not be reluctant to call members to order, some of whom were already on a number of calls. One member who was on three calls was one of the major offenders, 8703.
- The Chair had warned the Leader of the Opposition that he was on three calls to order; he would not warn him again, 8705.
- Despite repeated requests from the Chair, a number of members continued to disrupt the proceedings of the House. The remainder of question time would be conducted in silence. All members would show the House the respect it deserved, 8706.
- The Leader of the Opposition had a piece of paper in his hand, which clearly demonstrated that he intended to give further information to the House, as he had done on previous occasions in an attempt to interrupt the Premier or, indeed, other Ministers when they were providing replies. The Chair would not tolerate that kind of activity from Opposition members, who were deliberately attempting to break up the flow of answers from the Premier and other Ministers, 8884.
- The Chair was willing to extend some latitude to a new member, but he should have some knowledge of the standing orders, 9044.
- A number of members, whom the Chair was loath to name, were reading newspapers in the Chamber, which was against the standing orders, 9049.
- It had not taken long for question time to be interrupted by members showing their lack of respect for the standing orders by

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- interjecting. The Chair would not tolerate mindless interjections, many of which had little to do with the matter at hand. The Chair had called a number of members to order and would not hesitate to call others to order, 9182.
- Question time had started in the right spirit but had quickly degenerated into the sort of interjection and name calling that the House had heard in recent times. The Chair had warned members the previous day that he would not tolerate that sort of behaviour during question time. He warned both Government and Opposition members that they should comply with the standing orders, 9408.
- The level of disruption in the Chamber had been unacceptable. A number of member had been called to order. The Chair would have no hesitation in calling others to order. If members were called to order the required number of times, the Chair would have no hesitation in ordering their removal from the House. The Chair would not allow the Chamber to be disgraced, which some members seemed wont to do, 9816.
- Question time had not expired and a number of members were on a number of calls to order. The Chair again warned members that he would not hesitate to call them to order and, if they reached the required number of calls, he would direct that they be removed, 9822.
- The Chair was pleased to welcome a member back to the Chamber. However, if he persisted with his behaviour he would not be there for long, 9998.
- Members were asked to restrain their enthusiasm, 10000, 11062, 11163, excitement, 11710, to behave appropriately and uphold the standards of the House, 11287, to stop shouting, 13396, not to repeat their behaviour 14494, and if they did so they would be removed from the Chamber, 9997.
- Members were obviously enjoying themselves, but the remainder of question time would proceed in an orderly manner. A member

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Interjections, interruptions and disorder:

#### Questions without notice: (continued)

- who interrupted the Chair was warned that if he was removed from the Chamber, he may find himself outside the precincts of the Parliament for a considerable period, 10184.
- Question time had only just started and the behaviour of a number of members was already totally unacceptable. The Chair warned members early that he would not hesitate to place them on three calls to order. If members did not treat the House with respect, they would find themselves outside the Chamber, 10505.
- It was impossible for the proceedings of the Chamber to continue with the level of noise. Any member who disrupted the proceedings would be automatically removed from the Chamber. The Chair did not issue that warning lightly. However, on the first sitting day after a long break it was important that the Chamber proceed in an orderly way, 10507.
- Question time had proceeded without undue interruption. Members were becoming raucous, 10658.
- The standard of behaviour in the Chamber had dropped remarkably. Although proceedings in the Chamber on Thursday afternoons are normally a little lighter than those on other days, the Chair expected members to maintain the decorum of the Chamber, to ask questions in the proper way and to allow Ministers to answer them in silence, 10794.
- Because of his position the Chair had extended considerable latitude to the Leader of the Opposition. However, he must show some leadership. All he had done was to show the Opposition how to totally disregard the standards of the House. All members should abide by the rules of the House, which make no provision for any exceptions. One would expect the Leader of the Opposition to show some leadership in that regard. So far he had failed to do so. The Chair asked him to remember the position he holds and the respect that is due to him, both as the Leader of the Opposition and as a respected member of the House. His behaviour belittled both himself and the Chamber and did the people of New South Wales no credit, 10796.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- If there was any further disruption similar to that caused by a member who had been removed from the House, that member would not be the only member leaving the House before end of question time, 10796. A member who was on three calls to order almost followed the member from the House, 10797.
- The Chair was reluctant to direct that a member who had asked a question should be removed from the Chamber; he should be able to listen to the answer. The member was reminded that he had been on three calls to order for some time. The Chair suggested that if he wanted to remain in the Chamber he comply with those standing orders and listen to the Minister's answer in silence, 11293.
- The Chair knew members were looking to a threeweek break. However, a number of them would start the break earlier than expected if their behaviour continued, 11435.
- A Minister was entitled to answer the question he has been asked without being subjected to the totally nonsensical caterwauling and unintelligible shouting. That behaviour demeans the Chamber and must cause those in the public gallery to wonder what members were doing in the House, 11703.
- Members should observe the standards of the House and not interject while the Premier is speaking, 11844.
- On a number of occasions a member had taken points of order that resulted in him being placed on three calls. After the member had completed his point of order the Chair was kind and placed him on only two calls, 11845.
- The unacceptable level of noise in the Chamber had been caused by members interjecting and calling out. Much of the interjection was unintelligible and impeded the efforts of the Hansard staff to understand what was being said. If members who had been called to order did not conform to the standards of the House the Chair would have no hesitation in ensuring they were properly dealt with, 12127.

### Interjections, interruptions and disorder:

Questions without notice: (continued)

- After an unfortunate incident the previous week a member had been ejected from the Chamber. The standing orders provide that a member who is ejected may not return to the parliamentary precincts until the next sitting day. Although the Chair was inclined to allow the member back into the parliamentary precinct the next working day rather than the next sitting day, members should bear the standing orders in mind when contemplating their behaviour during question time, 12268.
- The next member who spoke while the Chair was on his feet would be thrown out of the Chamber, 12384.
- Question time had not expired; members were asked to resume their seats and maintain order in the House, 12386.
- A number of members had been called to order. The Chair was reluctant to place those members on three calls early in question time. However, he would have no hesitation in doing so if the need arose, 12572
- The Chair had not heard enough of the Premier's response to determine whether it was relevant, 12575.
- The Chair would not tolerate the constant interjections by members of the Opposition and the constant barking by the Leader of the Opposition. If he had a contribution to make he should do so in the proper way and not contravene the standing orders, 12746.
- During the short period of question time that had elapsed the Leader of the Opposition had persistently called out and behaved in a way that demeaned the dignity of the Chamber. On previous occasions the Chair had asked him to show leadership in the Chamber. The Chair was sure those in the public gallery must have been be more than a little amused at the way the Leader of the Opposition was behaving. They must have been be perplexed by his total disregard for the democratic principles of the Chamber. The Leader of the Opposition would observe the standards of the Chamber and comply with the standing

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- orders. In the past the Chair had extended a degree of latitude to the Leader of the Opposition. However, the Chair will not allow him to take advantage of that latitude and reduce question time to a rabble, 13055.
- If a member strayed outside the standing orders, he would find himself outside the Chamber for the rest of the day, 13058.
- Contrary to a claim in a point of order, a Minister was addressing the Chair, 3058
- The Premier was not in breach of Standing Order 139, 13061; the member who had taken the point of order was in breach of the standing orders, 13062.
- The Leader of the Opposition had demonstrated his style of leadership by telling the Speaker to shut up. The proceedings of the Chamber are conducted in accordance with the standing orders. The Leader of the Opposition is required to comply with the standing orders to the same extent as any other member and he should show leadership in doing so. He was aware that the Chair has attempted to extend a degree of latitude to him in the way in which he complies with standing orders, 13222.
- Members had had a somewhat lengthy break and were obviously enjoying question time. However, although the Legislative Assembly is a robust Chamber, there are standing orders and rules of debate to be observed. Members wishing to ask questions would be able to do so when given the call, but only in the proper way, 13394.
- A member deserved to be placed on three calls to order for no other reason than his incorrect use of grammar, 13395.
- Fourteen minutes remained for questions, and the Chair wanted question time to finish with a full House, 13571.
- The Chair and Hansard were having difficulty hearing the Minister. The Chair was reluctant to have members ejected from the Chamber and wanted to ensure that the last question time in the session finished on a proper note without further calls to order or more severe action, 13869.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- had overlooked a number The Chair of interjections, but he warned members that would not overlook he further interjections. The session would start in the proper way. Questions would be asked in the proper manner and the Premier and other Ministers would be allowed to respond in accordance with the rules of the House, 13953
- It was good to see members enjoying themselves. However, the Chair urged them to enjoy themselves a little less, 13954.
- Members should allow Ministers to answer the questions they are asked, 6062, 6255, 10510, 11054, 13958, 14106, 14981, 17493.
- A member had been grossly disorderly and was placed on three calls to order. The Chair warned other members that question time would proceed in an orderly way and in accordance with the rules of the Chamber, 14101.
- The Chair was already somewhat hoarse, and he did intend to aggravate that condition during the remainder of question time, 14102.
- Despite the fact that the Chair extends a degree of latitude to the Leader of the Opposition, he knew full well that his position demands that he show a degree of leadership. Although the Chair had not drawn attention to the fact, it was well known that the Leader of the Opposition had brought a video into the Chamber. He wanted to flout the rules of the House because he believes he has privileges over and above those of other members. Although a degree of latitude may be extended to the Leader of the Opposition because of his position, it is expected that he will show leadership and comply with the rules of the House. The Chair would not warn him again. The next time the Chair saw the video it would be confiscated, 14103.
- The purpose of question time is to have Ministers answer questions, not for members of the Opposition to answer questions on behalf of Ministers, 14108.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- The next member who tried the same sort of stunt as a member who had been placed on three calls to order would be removed from the Chamber, 14313.
- A Minister had uttered only about three words before a point of order was taken, 14314.
- Disorderly behaviour is not acceptable in the Chamber. Members were again asked to exercise due diligence in acting in accordance with the rules of the House. It would be impossible to continue question time if members continued to behave in a disorderly way. That warning applied equally to those on Government and Opposition benches, 14316.
- The behaviour of both sides of the House was outrageous. The Chair urged both Government and Opposition members to observe the standing orders and allow the Premier to be heard in silence, 14492.
- A member was again warned that he was on three calls to order. A repetition of his behaviour would result in his removal from the Chamber. At the conclusion of the proceedings the House would adjourn for two weeks and any order made by the Chair may exclude him from the precincts of the House for that period, 14644.
- The Chair would not tolerate constant calling out by members of the Opposition or the Government. The Premier has the right to be heard in silence. Members were directed to obey the standing orders and comply with the procedures of the House, 14707.
- Ministers have the right to be heard. A number of members were on several calls to order and question time had not concluded. Those members were asked to take care, 14713.
- The Leader of The Nationals was directed to stop wasting the time of the House, 14857, to cease making derogatory remarks; the Chair was sure the Premier had concluded his opening remarks, 14983. to contain himself, 17603, to complete his question, 20356. He should understand the standing orders. It was question time, not a debate, 19176, 22515. The Chair suggested he

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- acquaint himself with the standing orders; he was not in kindergarten, 20357. If he wanted to talk aloud to himself, he could do so outside the Chamber, 20360. He was well and truly out of order, 20691. He had asked a question and should have the courtesy to listen to the answer, 22515. He should stop second-guessing a Minister, 23118.
- A member who had been called to order twice may not be in the Chamber for the conclusion of question time if his behaviour continued, 14857.
- The Chair would not tolerate further calling out. The Premier was asked to return to the leave of the question he was asked and members were asked to observe the rules of the House. The Premier had indicated that the had concluded his answer, 14983.
- The Leader of the Opposition had asked a question of the Premier and the House had every right to expect that the would listen to the Premier's reply, 14984.
- The Deputy Leader of the Opposition would leave the Chamber if his behaviour continued, 15144.
- The Premier had resumed his seat every time he had become aware of call from the Chair directed to him, 15144.
- A Minister had completed his reply, 15144, 15308.
- The Chair was unable to rule on a point of order after a 15-second presentation, 15303.
- There had been a number of interjections in relation to the telling of lies and people lying their heads off. The Chair intended to take a tough line in relation to it. If members did not comply with calls to order and were called to order a second time, they may be out of the Chamber before the end of question time, 15303.
- If a member wanted to ask a question, he would have an opportunity to do so at another time, 15312.
- Members of the Opposition were behaving in a grossly disorderly way by raising photocopies of newspapers in the Chamber, 15579.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- The Chair has resisted requests that the Serjeant-at-Arms remove several members to whom he was paying close attention. The Chair would have preferred to finish question time without ejecting members from the Chamber, but that was totally up to them, 15581.
- If the Deputy Leader of the Opposition wanted to ask a question, he could do so at the appropriate time, 15793.
- It was almost impossible to hear the Treasurer because of the noise in the Chamber. The Chair had already called a number of members to order. Those calls would be added to the calls made during the presentation of the Budget Speech, 15984.
- The Chair reminded the Leader of the Opposition that it was question time, not a debate, 15989. He should stop constantly hollering out from his position on the front bench and have due regard to the standing orders and procedures of the House. Other members must abide by them. The Leader of the Opposition should lead by example and abide by them also, 15987.
- A member was deliberately flouting the rulings of the Chair and adopting an Opposition tactic to disrupt the House. It is well known that walking around the Chamber in a deliberate attempt to disrupt proceedings is grossly disorderly. The Chair was willing to extend a degree of latitude to the member because of his esteemed position in the Opposition. However, he more than any other member knew the rules and standards of the House. The Chair assumed he also knew why those rules and standards should not be flouted. The member was warned him not to continue his disruptive behaviour, 16144.
- A member was directed to cease interjecting; it was question time, not a debate, 16294, 18077.
- The Premier had clearly identified a document to which he was referring, 16296.
- The Chair would not be as tolerant as he had been during the week, 16297.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- A repetition of a member's behaviour would result in him being called to order, 16432.
- Members have the right to ask questions of Ministers and the Premier; Ministers and the Premier have the right to be heard in silence, 16434, and the Chair expects members to treat Ministers with courtesy and pay attention to their answers, 14856.
- The Chair would not extend any further latitude to members, 16677.
- If a member wished to answer questions he should become a Minister, 16681.
- It was impossible to hear the Premier's reply. A number of members were on calls to order and the Chair would not hesitate to call others to order. That caution applied also to members who may intend to use props, 16911.
- Members are not entitled to direct Ministers how to respond to questions, 16912.
- If a member was removed from the Chamber, he would not be allowed back into the House until the next sitting day, 16914.
- The next member to try a stunt similar to that taken by a member who had taken a point of order would be removed from the Chamber, 16914.
- Not having heard from a member for the past week, the Chair was loath to direct that he be removed from the Chamber the first time he was given the call, 16915.
- It was impossible to hear the Minister. The Chair would not allow the remainder of question time to become a shouting match, 16917.
- If he wished to do so, the Deputy Leader of the Opposition could refer to a dictionary, as the Leader of the House had done, 17078.
- The Leader of the House may have been enjoying the response he was getting, but the Chair wanted to maintain a degree of order in the House and warned members against calling out. The Chair reminded the House that he was keeping a count of those members who had been called to order, 17079.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- A number of members had been called to order and the Chair would not hesitate to call others to order. Members were directed to stop calling out. Such behaviour does them and the Chair no credit. A number of members had attracted the attention of the Chair, some of who had been called to order, 17081.
- Calling out is unbecoming to members and to the Chamber, 17329.
- The mood of the Chair was far from forgiving and a member was placed on three calls to order, 17490.
- If the Leader of the Opposition wished to answer his own question, there was another way of doing so, 17599.
- The Chair was happy to acknowledge the commendation of the Minister with the call for his support of consumers and motor repairers, 17746.
- Question time would be conducted in the proper way, with Ministers being asked questions and providing answers. Members would not try to debate matters under the guise of spurious points of order or by calling out to one another across the Chamber. If that conduct continued, the Chair would call both Government and Opposition members to order, 17876.
- If the Leader of the Opposition wanted to make a personal explanation, there were ways of doing so other than by interrupting question time, 17877.
- A member was directed to stop his histrionics and resume his seat, 17947.
- If a member did not like the response she received in answer to a question there were ways of dealing with it; it was not question time, not a debate, 18217.
- The Leader of the Opposition might care to tell members on the Opposition front bench to stop interjecting and calling out, particularly one member, whom the Chair had been tempted to call to order on a number of occasions, 18219.

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- The Chair was becoming used to a member's daily performances, 18317.
- Members were directed to stop calling out, 18319, 21414.
- A number of members had begun calling out. Other members, both Government and Opposition, were warned that the Chair intended to ensure that the remainder of question time proceeded in an orderly fashion, 18319.
- The number of members of three calls to order had increased substantially. The Chair would not tolerate another outburst, 18320.
- The Chair was inclined to uphold a point of order and ask a Minister to answer the question he was asked and to be mindful of the time he is taking to do so, 18324.
- The Chair has already indicated that a Minister had given a reasonably lengthy reply. He was now asked to concluded his reply, 18325.
- The Deputy Leader of the Opposition was contravening Standing Order 139, and was directed to resume his seat, 18472.
- The Leader of the Opposition was directed to come to order, show some leadership and remain silent while the Minister was speaking, 18610.
- The Leader of the Opposition was a new leader, but the Chair would not respond to the old ploy he has used of deliberately misbehaving in the hope of being removed from the Chamber and thereby attracting publicity. He was asked to be a little more sophisticated in the way he approached his task. Respect for the people of New South Wales and for the standing orders should be uppermost in the minds of members. Although the Chair was loath to reward members for their misbehaviour and give them publicity by directing that they be removed, he would take them to task for disgracing the standing orders of this House. The Chair asked members to honour the principles of members both past and present by upholding the standards of the Chamber, 18611.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- A number of members had taken to calling out merely to disrupt the procedures of the House. The Chair would reward those members by ejecting them from the Chamber because it seemed that is the way achieve notoriety. The Chair they reminded members that there are various ways in which the Chair may impose sanctions on members who disrupt the proceedings. The Chair would not tolerate members deliberately flouting the standing orders and calling out merely for the purpose of making a lot of noise. The House is a place in which intelligent questions are asked and Ministers provide answers. It is not a place in which members are able to make a great deal of noise merely to cause disruption, 19058.
- The Leader of the Opposition was openly flouting the ruling of the Chair. He seemed to think that the Chamber was a playroom and that he could lower his standard of behaviour to that of an errant schoolboy. The Chair would not allow behaviour of that sort. The Chair would not tolerate insinuations that the Premier or Ministers are lying or the constant disruption of the proceedings of the House, 19059.
- An interjection ["Where did you get that brown tie?] was exactly the sort of nonsense the Chair would not tolerate, 19059.
- A Minister was answering a question of fundamental importance to everyone. Members engaging in conversation were asked to show some respect and listen to the Minister's reply. That direction applied to both Government and Opposition members, 19180.
- The Chair accepted an apology from a member for not inventing the Internet, 19517.
- The level of noise in the Chamber was becoming unacceptable, and it was clear that some members were calling out for the sake of disruption, 19519.
- A member is not entitled to debate a Minister's reply, 19519.
- The Chair had no difficulty hearing a Minister. His remarks had nothing to do with what had been suggested in a point of order, 19650.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- A member had been in the Chamber long enough to know not to behave in the way he had, 19651.
- In view of a member's uncharacteristic outburst the Chair would place him on one call to order only. However, he would not be so generous the next time, 19828.
- The Chair did not understand how the Leader of the Opposition could take a point of order relating to relevance when the Premier had uttered little more than half a dozen words, 19974.
- A member knew the standing orders of the House; he knew the appropriate way to seek the Chair's attention without carrying on like a turkey, 19981.
- During question time, the Chair had referred to a particular member. It had now been brought to his attention that the sounds that were resonating throughout the Chamber were made by another member. That demonstrated that those in the Chamber should at all times behave in an orderly manner. When 93 members are present it is easy to mistake the member disrupting proceedings, 19984.
- The Chair was tempted to place a member who had been called to order on three call. However given that the member was slightly emotional he would place him on two calls to order only, 20113.
- It was impossible for the Premier to conclude his remarks when every two or three minutes the Leader of the Opposition interrupted the flow of proceedings by taking points of order, 20355.
- Calls for the House to come to order applied to Government members as well as Opposition members, 20355.
- The rowdy behaviour of members of the Opposition, who had plainly set out to disrupt the proceedings, was totally unacceptable. Any member called to order would be placed on three calls, 20357.
- The Deputy Leader of the Opposition knew better than to behave in the way he had. He knew his point of order had no substance; the Minister had barely started his reply, 20357.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Interjections, interruptions and disorder:

Questions without notice: (continued)

- The Chair suggested members acquaint themselves with the standing orders, 6343, 20359, 23116, 22769.
- Government members were directed to stop taunting a member whom they knew was on three calls, 20360.
- If the behaviour witnessed by the Chair was repeated, a number of members may not be in the Chamber for the conclusion of the last question time of the year and may find themselves out of the precincts of the Chamber until well into next year, 20537.
- If members were removed from the Chamber during the last question time of the year, they may not return for a long time, 20540.
- Members were directed to allow the Leader of the Opposition to complete his question, 20543.
- The Leader of the Opposition could not ask a question a second time because he did not like the answer, 20543.
- The House was fully aware of the question a Minister had been asked, 20546.
- It was obvious that members of the Opposition were flagrantly contravening the standing orders. The performance of a member who had taken a point of order was B-grade, 20696.
- It was bad enough that the Chair's left ear was being battered by the honourable member for Epping; his right ear did not need to be battered by the honourable member for Bathurst, 20697.
- The Chair was quite keen to hear a point of order, but question time was not the right time to make a speech, 20850.
- The Chair was extremely dissatisfied with the level of noise in the Chamber and was looking for members to call to order, 20982.
- The House could do without a geography lesson; members were directed to resume their seats, 20984.
- He catcalling from the Opposition was nothing less than disgraceful. When the noise in the Chamber is such that a question cannot be heard, members should examine their attitude and the way they behave in the Chamber. The Chair, Hansard the and appropriate Minister would like to hear the question and the Chair would like to hear the answer, 20993.

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- The Leader of the Opposition had asked a question. He should not wast the time of the House by asking the question a second or third time, 21106.
- If need be, the Chair would place members on three calls to order. He intended to have question time proceed in an orderly way by ensuring that members comply with the standing orders, 21106.
- It was clear that a number of members who dislike question time were seeking a reason to be ejected from the Chamber; the Chair would have not hesitation in accommodating them if they persisted, 21108.
- A Minister had been asked a serious question and she was giving a serious answer. It ill behoved members on both sides of the House to maintain the present level of conversation and disruption, 21114.
- A member would have an opportunity to make a speech at the appropriate time, which was not during question time, 21266.
- A member was directed to stop pointing his finger, 21266.
- The Chair hoped a member was not being goaded by another member; the Chair took a dim view of that sort of collusion, 21267.
- The Chair was sorely tempted to call a member to order, noting that it was only one call to order and should not challenge his numeracy skills, 21267.
- The Chair was sure a member had much to add to the debate, but question time was not the appropriate time to do so, 21268.
- The Chair cautioned the Leader of the Opposition that he need not respond to a Minister, 21270. He would have other opportunities to do so, 21271.
- Members were directed to come order and allow the Premier to continue his answer, 21409.
- It seemed that Opposition members believed a Minister needed musical accompaniment. If members wished to practice their choral skills they should do so outside the House. If they did not, they may have found themselves outside the Chamber against

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- their wishes, 21411. A number of members of the Opposition were anticipating vespers early. They were asked to refrain from singing, 21692.
- A member had lost the plot again, 21416. He had left his run a little late and it seemed he was trying to make up for lost time, 21417.
- There is an appropriate way for a member to respond to a Minister's remarks, if a response was needed, 21419.
- Members were deliberately flouting the standing orders, 21541, 21546.
- Members should restrict their policy speeches to the appropriate time, 21544, which is not question time, 21545.
- During question time questions are directed to Ministers, not to the Leader of the Opposition, who may ask questions but not provide the answers, 21544.
- Question time is for questions, not explanations, 20360, 21545, 21546, 21867, 21984. 22279, or debate 22371, 22949. Issues and explanations can be debated at a later time, 21688, 23110, 23117.
- A Minister had been constantly interrupted during his reply. Question time had almost become a debate. The Chair would hear a point of order, which he hoped would comply with the standing orders. The House would then be able to continue with question time, as set out in the routine of business, 21546.
- A member was not doing himself or the House a service; he should know better. He may care to take a few lessons from the honourable member for Epping; he had not quite reached chainsaw status, 21696, 21697.

A member was on thin ice, 21698.

- If the Leader of the Opposition wanted to take control of anything he should take control of his side of politics; he was not going to take control of the Chamber, 21856.
- The Premier and Ministers are asked questions; the Leader of the Opposition would have to wait his turn, 21857.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Interjections, interruptions and disorder:

Questions without notice: (continued)

- The Leader of the Opposition had again resorted to the stunt of interrupting the Premier's reply. He had spent more time explaining his question than the Premier had spent answering it. The Chair called on the Leader of the Opposition to show some respect for the standing orders, ask a question and allow the Premier to provide a reply, 21857.
- Unparliamentary behaviour will not be tolerated, irrespective of the side of the Chamber on which it occurs, 21860, 21861.
- It was not in order for the Chair to ask a member what he had said. If question time were conducted in a proper way there would be no calling out and the House would have been able to hear the comment. Members who had been called to order were deemed to be on three calls. The remainder of question time would be conducted in an orderly manner, 21860.
- Members should refrain from using unparliamentary and offensive language as well, whether they are addressing each other or members of the public. The general public believe that members have a standard to uphold that they can look up to. The Chair wondered what the children he had welcomed earlier in the day thought of the calling out that had taken place. Earlier the Chair deemed members who had been called to order to be on three calls. The Chair regarded that action as serious and would not hesitate to call other members to order, 21860.
- Question time is set aside for questions and answers. Members cannot debate those answers merely because they do not like their content. Those issues can be debated in other ways, and there are ways of making those matters public, 21862.
- A member was directed to stop grandstanding and resume his seat, 21871.
- A member was directed not to tell the Chair what a question was about, 21979.
- If a member wanted to raise a matter referred to in a point of order, he could do so by way of notice of motion, 21982, 22279, or private member's bill, 21984, 21991.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

- A Minister had already answered a substantial part of the question when a point of order was taken relating to relevance , 21987.
- The Premier and Ministers are asked questions, and the Leader of the Opposition could answer a question posed to him by the Premier at another time, 22279, he would not answer it during question time, 22134.
- A number of members had been called to order. Question time would be concluded in an appropriate way. If it was not, some members may not be in the Chamber at the end of it. That warning applied as much to the Leader of the Opposition as it did to anyone else, 22144.
- The Chair understood that a member had been goaded into doing what he had done, but he should resist the goading and resume his seat, 22286.
- If a member resumed his seat the Premier would be able to continue his answer, 22287.
- The Premier had been speaking for only 23 seconds. The Leader of the Opposition was directed to give him an opportunity to reply, 22368.
- The Leader of the Opposition knew better than to ask the Premier questions across the Chamber, 22368.
- Government members were directed to allow the Premier to answer a question asked by the Deputy Leader of the Opposition, 22655.
- The Chair suggested a member consult a calendar in relation to the timing of tax cuts, 22659.
- The cheer squad on the Government benches was directed to cease calling out, 22660.
- A member was directed to stop his unintelligible babble and resume his seat, 22771.
- A member was directed to resist the temptation to interject, 22773.
- If the Leader of the Opposition wishes to debate matters raised in question time, he should use the forms of the House, 22956.

### **Interjections, interruptions and disorder:** *Questions without notice:* (continued)

- A Minister needed no further assistance from either side of the House, 22957.
- The Chair was reluctant to direct a member who was on three calls to leave the House as some members of the House were enjoying the comic relief, 22957.
- Members wishing to ask questions should seek the call. Until they are given the call they should remain silent, 23111.
- Member removed: 2949, 5314, 5586, 5776, 6169, 6719, 8089, 8113, 9186, 9824, 10796, 11850, 16441.

### Member named: 4512, 8885.

### Members' dress:

- The standing orders do not require members to wear jackets. However, the Chair was not kindly disposed to members appearing in the Chamber without jackets on the last sitting day, 6117.
- The Chair noted the somewhat unusual dress of the Minister for Tourism and Sport and Recreation. The Minister informed the Chair that members had been asked to wear their favourite team colours for the price of \$2.00, which would be donated to the neonatal ward at the Prince of Wales Hospital. In view of her senior position and the good sense she had shown by supporting such a worthwhile cause, the Chair overlooked the Minister's form of dress and fined her \$100, which he undertook to match, 17845.

### **Ministerial statements:**

- The Deputy Leader of the Opposition would have an opportunity to reply to a ministerial statement at the appropriate time if he wished to do so, 2130, 16905.
- Members speaking for the Opposition should respond directly to a ministerial statement, 2131.
- The belief of the member speaking for the Opposition that the Minister had used the words "and related matters" in his ministerial statement was a figment of the member's imagination, 2132.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Ministerial statements: (continued)

- The Chair cannot direct a Minister how to make a ministerial statement, 4208.
- The Chair presumed the Minister was giving a preamble before coming to the matter of regional importance, 11167
- The precedent for ministerial statements has been established through a series of rulings by a number of former Speakers, 11168.
- It was not in keeping with the standards of the chosen profession of a member who is a lawyer for him to read only part of the statement from *Decisions from the Chair*. The part he left out stated:

Ministerial statements are covered not by the standing orders but by usage and practice.

In the 23 years the Chair had been a member of the House, that precedent had been followed on many occasions, 11168.

A member who had taken a point of order had a selective memory as to what has occurred in the past 16 years. The Chair relied on his memory of what has occurred in the past 23 years. In addition, the Chair failed to understand how the Minister could make a personal attack in a ministerial statement on someone whom the member who had taken the point of order had said shall remain nameless, 11168.

### Notices of motions:

- Members were asked to listen in silence as a member read his notice of motion, which was ruled in order, 1497.
- The Chair drew attention to the length of notices of motions, 4197, 13215, 17074, 18312, 19052. Members should discuss their notices with the Clerks before presenting them, 6332. Notices may appear finally in an edited form, 4197. Notices should not contain unparliamentary or derogatory language, 13215. If a member wanted to challenge the ruling of the Chair relating to unparliamentary language, the Chair would rule his motion out of order and ask him to reword it, 6332. In accordance with procedure normal the Chair, in consultation with the Clerks, would review a notice of motion which was claimed to be out of order and make an

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### Notices of motions: (continued)

- announcement to the House, 9812. The use of inflammatory and argumentative language in notices of motions is dealt with in the standing orders, 11049. The Chair would ask the Clerk to examine the notice of motion and would then make a determination as to whether the notice was in order, 12265, 14096, 15786, 17485, 17869, 19345, 19512.
- While acknowledging that a notice of motion was worthy of debate, the Chair asked the member who had given the notice to consult the Clerks about rewording the motion as it contained a certain amount of debate, 5577. The Chair did not intend to imply that the notice of motion was in any way inaccurate. However, the motion was rather longwinded and contained matters of debate. The Chair requested the member who had given the notice to consider rewording the motion, with the assistance of the Clerks. The Chair reiterated that he in no way intended to denigrate or diminish the importance of the motion, 5589.
- The Chair reminded the House that the time set aside for the giving of notices of motions should be used for that purpose. A notice of motion should not constitute a speech, 6332, 12265, 13215, and the Chair ruled a notice of motion out of order, 15299, 18070. The Chair would consult with the Clerk in relation to whether a notice of motion was admissible or should be shortened, 19345. If the member wished to re-word his motion, he could give the notice again the next day, 18071.
- The Chair was unable to hear a notice of motion. The member giving the notice was asked to read the motion again. The Chair warned all members that they would be called to order if they disrupted the member while he was giving notice of his motion, 14096.
- Notices of motions should call on the House to note or resolve something, and not debate points, 15786.
- If members continued to misbehave during the giving of notices of motions, they would be called to order and those calls would stand during question time, 17937.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Notices of motions: (continued)

- Although the Chair was conscious of the need to protect the right of all members to free speech, he must also take into account the serious and important processes of other arms of government, particularly those relating to law enforcement. He would review a notice of motion and take into account the issues that had been raised when determining what should be placed on the business paper, 18085.
- The Chair was tempted to rule as notice of motion out of order. Although he was willing to allow a certain amount of give and take in relation to matters of humour, he did not regard the member's behaviour, after he had been given a degree of latitude, as meeting the standards of the House. The Chair would not rule the notice of motion out of order, but in future the member would observe the standing orders, 19052.
- Time had been set aside for the giving of notices of motions, not for debate. If the member giving the notice did not resume his seat he would be removed from the House. The Chair would carefully examine the notice of motion to ascertain whether it complied with the standing orders. 19511.

### Offensive and objectionable remarks, imputations and aspersions:

The Chair objects to the statement that a member is telling lies or has told a lie, 167. To say that somebody is lying his head off is not quite the same as saying the Leader of the Opposition is telling lies in the Chamber and to the public, 167. The Chair found the use of the words "Why id he lie" offensive. The member was asked to rephrase the question, 2947. The Chair found the term "When was she lying ...." offensive and unparliamentary. The Chair asked the Leader of the Opposition to reword his question and he would then reconsider whether it is appropriate, 14926. The phrase "telling lies" or words of that nature are offensive to the Chair and they are unparliamentary. The Chair requested the Leader of the Opposition to reword his question, 14929. To accuse anyone of lying does not accord with the Westminster tradition of parliamentary behaviour and does not comply with the standards of the House. The Chair asked members to ensure that when they are

## **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- making their contributions they uphold the standards of the House, not lower them, 14930. The Chair reminded all members, including Ministers, of rulings in relation to accusations that members of the House are lying. In keeping with parliamentary procedure and precedents set by a number of former Speakers, the Chair took a strong view about such accusations. The Chair asked the Minister with the call to be cognisant of that, 16677. The Chair found the statement "Just tell the truth" offensive. It implied that the Premier was lying, 19058.
- Members who wish to attack other members should do so by way of substantive motion, 1351, 20629. They could not do so under the guise of debating the question before the Chair, which was the special adjournment motion moved by the Leader of the House. The Chair asked the member to take care with the words he used, 19070.
- A member had taken a point of order in relation to how members should be identified in the Chamber. The Chair had heard the Premier refer to a certain nickname; the member in question had identified himself as that person, 1655.
- A member, whom the Chair regarded as being deliberately offensive, was reminded that he was on three calls to order, 2947.
- The Chair would have expected a longstanding member of the House to have been a little less sensitive than his remarks indicated, 4990.
- The word "hypocrite" is a reflection on the Chair, 7171. A member had cast aspersions on the Chair, 10796. A member was placed on three calls to order for reflecting on the Chair, 15144.
- A member knew that the Minister was providing a supplementary answer to a question that the asked by the member the previous day. The Minister was not reflecting in any way on the member, 7172.
- It was a matter for a member, rather than the Leader of the Opposition, to take exception to the alleged action of a Government member, if she believed that was warranted, 8593.

### **Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA):** (continued)

### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- The Legislative Assembly is a robust Chamber. Had the Minister referred to individual members the Chair may have considered the context in which the remarks—"this bunch of liars and scoundrels"—were made and asked the Minister to withdraw them. The member who had asked for the remarks to be withdrawn had been a member of the Chamber for almost as long as the Chair and had heard the words used in the Chamber before, 12750.
- It is incumbent upon members to uphold the Westminster standards of behaviour in the House, 14937.
- The Leader of the Opposition should indicate in the proper way that he withdrew a remark about which complaint had been made. He should stand when addressing the Chair, 15151.
- All members should use language that uplifts the standards of the House, 15309, and is acceptable to the Chamber, 18743.
- Neither of two ageist remarks—"I would say to you, young man" and "I asked old Carl Scully"—added anything to proceedings, 17079.
- If a member believed he had been impugned in some way there was another way of dealing with it other than by debating the matter during question time, 18218.
- A member's comments and interjections were offensive to the House and every member of it, 19060.
- A member had made a number of attacks against member of the House and persons who are not members of the House. He was directed to confine his remarks to the question before the Chair. 19068.
- The member was well aware of the difference between comments made outside the House and comments made directly to members. He was directed not to flout the ruling of the Chair, 19068.
- A number of assertions had been made about other members of the House that had almost amounted to substantive attack on those

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- members. A number of assertions had been made about persons who are not members of the House. The Chair directed members of the Government and the Opposition to comply with the standing orders. If a member proposed to launch a substantial attack on another member, it must be by way of substantive motion. Persons outside the Chamber have little recourse in defending themselves against accusations made in the House. Members should think seriously before besmirching the reputation of members of the public, 19069.
- Under the guise of debating an amendment, the Opposition was attacking a Minister, 19071.
- The reading by the member with the call of an Independent Commission Against Corruption report published some years ago concerning another member of the House did not fall far short of an attack on that member. The member with the call was again directed to confine his remarks to the question before the Chair and to comply with the standing orders, 19072.
- A member knew his language was unparliamentary, 21422.
- A member could take some comfort from the biblical text about throwing stones, 21688.
- The Chair had heard nothing unparliamentary in what the Premier had said, 21689.
- The Chair asked a Minister to withdraw a remark to which objection had been taken; it was a matter for the Minister whether he apologised, 21714.
- The Chair had not heard a remark alleging that a member of the public was a Liberal stooge, 21859, 21860. The Chair could not ask for the comment, which he understood was in the form of an interjection, to be withdrawn, 21860. The Leader of the Opposition knew he could not debate the issue; he was flouting the standing orders, 2187.
- Members may take points of order, but they should not cast aspersions on other members, 21872.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Offensive and objectionable remarks, imputations and aspersions:** (continued)

Although the Chair did not condone or support the use of terminology such as " ... his Nationals lap-dogs", the House is used to the cut and thrust of debate. Had the term been used to refer to a specific member and had the member taken objection, the Chair would have asked for the comment to be withdrawn. The Chair cautioned the member in relation to the use of such language, but to ask him to withdraw a general comment of that nature would not be in keeping with the conventions of the House, 22776.

## Expressions withdrawn or required to be withdrawn:

"I welcome this question, although I thought the honourable member was not of an age that he would be suffering from Alzheimer's disease", 13869; "Wrap it up, darling!" 15148; "We are not in a classroom, love", 15151; "Of course, one group of people was upset about the fact that no-one was injured, that is, the group of people over there on the other side of the House", 19176; "We should ask how much his father paid to get his preselection back in 1999 and how much his father paid The Nationals to get him a seat on the Opposition frontbench", 19796; "By not allowing this motion to be debated in Parliament today, the Minister and all members opposite potentially have blood their hands," 20548; "It on [the Government] needs to raise the public standards of decency in everything it does," 20624; "If the honourable member for Wakehurst wants to go over history we can go over how he stole \$100,000 from an old woman by changing her will," 21714.

### **Personal explanations:**

The purpose of a personal explanation is to give a member the opportunity to explain how his character, political integrity or position as a member of Parliament has been impugned or reflected upon, 1508, 10193, 11446, 12276, 13064, 20366, or how he has been misrepresented, 11296, 11297, 20699. A member had gone beyond those limits and the Chair drew his personal explanation to a close, 6073. The Chair had heard nothing from the member with the call in relation to any of those matters,

### **Personal explanations:** (continued)

- 6347. Personal explanations should be concise, 11297. Members should not debate the substantive issue or raise other matters when making a personal explanation, 1508, 6347, 7454, 11296, 11297, 11446, 14858, 20366. To expand a personal explanation by debating the issue is in a sense, flouting the standing orders, 11297.
- The Chair had not heard sufficient to rule on a point of order relating to a personal explanation, 6346.
- A member who had taken a point of order in relation to Standing Order 101 had been a member of the House long enough to know that there is a difference between a claim of privilege and a personal explanation, 6347.
- A member could make a personal explanation at the appropriate time, 7449, if he so wished, 11446, 20988, was directed to either proceed with his personal explanation or resume his seat, 14858.
- The Chair had given the Leader of the Opposition an extraordinary amount of latitude. His personal explanation was probably one of the longest ever heard in the House, 11297
- The Chair declined to hear anything further on a personal explanation, 11297, 12276, 13066, 20366.
- Making a personal explanation does not afford a member the opportunity to raise issues about or question the standing orders of this House. If a member wished to take issue with the way in which standing orders have been applied, he could use other forms of the House to pursue that matter, 12276.
- A member had made his point in a personal explanation. No further explanation was required, 12582.
- The Leader of the Opposition was attempting to point out that in his view some of the statements made by the Premier during question time were incorrect. That was not the purpose of a personal explanation. If the Leader of the Opposition believed he had been misrepresented there are other forms of the House available to him, 13064.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Personal explanations:** (continued)

- The Chair would not allow the Leader of the Opposition to continue with his course of action unless he was able to show that his character has been impugned by a member of the Chamber, 13064.
- A personal explanation should not be a "He said, she said" discourse. If the Leader of the Opposition believed his character had been impugned because of allegations made about him, as distinct from statements that had been made, he should tell the House how his character has been impugned. However, challenging what the Premier had said was not the purpose of a personal explanation, 13065.
- The Chair would allow the Leader of the Opposition to continue. However, if he continued to merely challenge what the Premier had said instead of making it clear to the House how he believed his character had been impugned, the Chair would ask him to resume his seat, 13065.
- The Chair had allowed the Leader of the Opposition to make one or two points that were in order. However, he was again straying outside the standing orders, 13065.
- A personal explanation is not a debate. When the Leader of the Opposition attempted to show how his character had been impugned the Chair allowed him to proceed. However, the Chair could not allow him to proceed when he attempted to debate the issue at hand and what was said by the Premier. The Chair permitted the Leader of the Opposition to continue, but asked him to bear the ruling in mind, 13066.
- A member believed her character had been impugned. She was about to give reasons why she believed that was so when a point of order was taken. The member was allowed to continue, 14647.
- Members are entitled to make personal explanations at any time during the proceedings of the House, 15302, but question time is not the time for a personal explanation, 20360.
- The Chair would seek advice on the matter raised in a personal explanation and give a ruling at a later stage, 15303.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Personal explanations:** (continued)

- A member's remarks did not constitute a personal explanation. She was not entitled to debate the matter. If she wished to raise matters in relation to a notice of motion, she could do so when the motion was debated, 15799.
- A member could not make a personal explanation at a time when the House had voted on which urgent motion was to proceed and was still involved in the procedure relating to urgent motions. The first time at which she could make a personal explanation was at 4.15 p.m., when business would be interrupted pursuant to sessional orders, 17499.
- If the Leader of the Opposition wanted to make a personal explanation, there were ways of doing so other than by interrupting question time, 17877.
- A member was well and truly outside the bounds of a personal explanation, 20699.
- Members cannot make personal explanations under the guise of points of order, 20989.
- If members want to make personal explanations, the standing orders provide them with the means to do so, 20989.
- As there was a question before the Chair, he could not entertain a personal explanation, 21714.
- Members who believe they have been represented can make personal explanations at the appropriate time, 20992, 21988.
- A member's remarks did not constitute a personal explanation, 21991; he was debating the issue, 22377.

### **Points of order:**

Not involved: 116, 118, 167, 170, 189, 264, 265, 403, 406, 408, 416, 428, 549, 560, 696, 710, 864, 868, 877, 879, 880, 881, 1037, 1049, 1052, 1061, 1157, 1163, 1164, 1165, 1339, 1341, 1502, 1503, 1509, 1553, 1557, 1654, 1655, 1656, 1659, 1664, 1725, 1748, 1750, 1751, 1754, 2124, 2126, 2130, 2131, 2307, 2309, 2310, 3078, 3199, 3200, 3201, 3212, 3327, 3330, 3467, 3472, 3474, 3475, 3613, 3738, 3741, 3743, 3902, 3910, 4055, 4060, 4200, 4361, 4518,

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Points of order:

### Not involved: (continued)

Not inv	volved:	(contir	ued)			
4521,	4639,	4646,	482	8,	4837	, 4838,
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5128,		5313,	531		5317	· ·
5467,		5581,	558		5586	
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6255,		6260,	633		6338	
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6342,		6423,	643		6431	
6584,		6829,	702		7158	
7299,		7449,	756		7597	
8002,		8007,			8106	
8468,		8602,			8706	, 8885,
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11060,	11063		65,		168,	11169,
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11429,	11442		43,	11	444,	11445,
11446,	11544		546,		547,	11842,
11844,	11847		949,		955,	11957,
12129,	12130	·	32,		138,	12140,
12268,	12278				385,	12572,
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14492,	14647		548,		706,	14707,
14932,	14937	·	981,		143,	15306,
15307,	15309	·	812,		417,	15579,
15791,	15792		'93,		985,	15986,
15989,	15992		993,		296,	16297,
16666,	16675		676,		679,	16680,
16911,	16912		)78,		324,	17489,
17491,	17492	<i>.</i> , 174	95,	17	599,	17601,
17610,	17743		376,	17	950,	18074,
18075,	18076	5, 182	215,	18	316,	18319,
18320,	18321	, 184	74,	18	478,	18609,
18614,	18736		923,		064,	19068,
19174,	19349	, 193	354,	19	516,	19518,
19652,	19827	', 198	328,	19	979,	19981,
19982,	19983	, 201	13,	20	117,	20121,
20357,	20359	, 205	539,	20	540,	20543,
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20700,	20987	, 209	988,	20	989,	21262,
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21546,	21697		/03,		710,	21855,
21859,	21861		362,		863,	21870,
21871,	21984		987,		988,	21993,
22134,	22138		41,		277,	22283,
22287,	22369				514,	22655,
22657,	22659		663,		664,	22059, 22769,
22037, 22770,	22037				948,	22951,
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### Points of order: (continued)

### Not upheld:

The Chair ruled against a point of order claiming that the member with the call was implying that a judicial authority had approved a course of action, 12388.

The standing orders preclude debate on a matter that is before the House, 13960.

A question without notice and a supplementary question were out of order, 18741.

The Leader of the Opposition should state why his motion for urgent consideration should have priority, not deliver a political eulogy for the honourable member for Coffs Harbour, 18928.

The Opposition persisted in making snide remarks, which was clearly not in order, 19068.

The Chair could not uphold a point of order seeking the withdrawal of remarks as it is not appropriate for one member to ask for the withdrawal of remarks made about another member. Only the member who has been referred to may ask for the remarks to be withdrawn, 19795.

The Leader of the Opposition was making a general comment and had not named any specific person, 19986.

A Minister's answer was irrelevant, 21412.

#### **Upheld:**

A claim that a member has told a straightout lie is out of order unless the claim can be verified, 164.

Reading newspapers in the Chamber is against the standing orders, 417.

The member speaking for the Opposition should respond directly to a ministerial statement, 2131.

A question without notice was clearly not related to the Minister's portfolio, 3076.

Members should be addressed by their correct titles, 3742, 15151, 21713, 21872, 22776.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Points of order:

**Upheld:** (continued)

If members wish to reflect on other members, they should use the forms of the House, 5323.

A Minister must not debate an answer to a question, 7593.

Stunts are not permitted under the standing orders, 8007.

There was too much noise in the Chamber, 10187.

When speaking in the five-minute debate relating to urgent motions, members must give reasons why their motions should receive priority, 10865, 17498, and not debate the substance of the motion, 13228.

A personal explanation is not an opportunity to raise issues about or question the standing orders of the House, 12276.

Members should confine their remarks to the question before the Chair, 15276, 17709, 17944, 21712.

The Chair was inclined to uphold a point of order and ask a Minister to answer the question he was asked and to be mindful of the time he is taking to do so, 18324.

A Minister was straying from the question he was asked, 20118, 21864, 21865.

A Minister should tell the House what he had to say about a member, 21704.

A substantive attack on another member should be done by way of substantive motion, 21708.

The Chair having ruled an amendment out of order, a member could not introduce into the debate material relating to that amendment, 21709.

The Premier's answer was not relevant to the question he was asked, 22138.

A member had changed his seat on two occasions during a division, 22254.

A member was asked to enunciate his point of order, 170, 272, 3200, 5129, 13223, 14643, 15143, 16143, 22515.

### Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Points of order:**

**Upheld:** (continued)

- The Leader of the Opposition was warned that his point of order should be relevant to the Premier's answer, 863.
- A member's remarks did not constitute a point of order, 1348, 1751, 3201, 3476, 4830, 9044, 12138, 18903, 19520, 20691, 20698, 20843, 22771, and the member knew that, 1503, 18218, 20989, 21119.
- The Chair would hear a point of order, 5777. The Chair had heard enough on a point of order, 2126, 6250, 6842, 12129, 14991, 17498, a member was putting his case as to why his motion should receive priority in an appropriate fashion, 3910. The Chair had not heard enough to rule on a point of order, 3910, 5588, 5589, 7830, 9047, 23121, to uphold a point of order, 412. The Chair would hear further before ruling on a point of order, 5776, 10516, 10865, 14110, 14240, 14241, 14323, 15150, 17610, 19985, 21992, although he intended to say there was no point of order, 14927.
- The Chair was unable to understand how a member could take a point of when the Premier had been responding to a question for barely a minute, 3326, when the member had not listened to the answer provided by the Premier, 3472, when the Premier had finished only one sentence of his answer, 18214.
- When a member last took a point of order, he was called to order. The Chair hoped his present attempt was better than the last, 3468.
- Five points of order taken by the Deputy Leader of the Opposition had not been upheld, 3472.
- The Chair understood a point of order, 13575, and the member with the call was permitted to continue, 10517, but the member with the call had completed his contribution, 4837.
- There was nothing before the House on which to base a point of order, 4989, 7861, 19069, 19517.
- The Chair, having sought advice from Clerk, ruled that there was no point of order, 4990.

### Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Points of order:

**Upheld:** (continued)

- Members should familiarise themselves with the standing orders before taking points of order, 5126.
- A member knew better than to take a point of order such as the one he had taken, 6063.
- The Chair believed a member to be a little less sensitive than his point of order would indicate, 6064.
- A member cannot take a point of order merely because he does not like a Minister's answer, 6255, 22279, 22947.
- The Chair would not entertain a further point of order in relation to a personal explanation, 6347.
- The Chair would not rule further on a point of order taken under Standing Order 138, 7026.
- A member knew precisely what the Chair was talking about. The issue he raised in a point of order was not the issue the Chair raised with the Leader of the Opposition, 7163.
- As the speaking time of the member with the call had expired, there would be no point in giving him any advice in relation to a point of order, 7564.
- A new member was advised to study the standing orders a little more thoroughly before wasting the time of the House with spurious points of order, 8090.
- Members were abusing the point of order rule, 8891.
- A member had already been called to order for the way in which he had taken a point of order, 9996.
- A member had attracted the attention of the Chair by claiming that a point of order related to relevance, but what he then said did not relate to relevance, 10660.
- Because of the entertainment value of a point of order, the Chair would not call the member to order, 10854.

### **Points of order:**

Upheld: (continued)

- A member who had taken a point of order had a selective memory as to what has occurred in the past 16 years. The Chair relied on his memory of what has occurred in the past 23 years. In addition, the Chair failed to understand how the Minister could make a personal attack in a ministerial statement on someone whom the member who had taken the point of order had said shall remain nameless, 11168.
- The Chair had ruled on a point of order, 12750, 15143.
- The quality of a point of order usually reflects the experience of the member taking the point of order. A member had been in the Chamber long enough to know that his remarks did not constitute a point of order, 13221.
- The Premier should refer to members by their correct titles, but when taking a point of order the Leader of The Nationals should not contravene the standing orders, 13571.
- The standing orders are explicit: If points of order are taken when a member is speaking, the member's speaking time is eroded by those points of order, and the Chair would not entertain any further points of order, 13586.
- Having already indicated that a Minister should heed the rules of the House, the Chair declined to hear anything further on a point of order, 13587.
- After taking a point of order, a member was advised by the Chair to take the standing orders home and learn them, 14103.
- The Chair hoped the member had had an opportunity to read the standing orders since his last point of order. The member had made an amateurish attempt to disrupt the proceedings of the House, 14103.
- The Chair would not rule on a point of order relating to the admissibility of a question without notice. He would seek advice and rule on it at a later stage, 14315.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Points of order:

**Upheld:** (continued)

- A point of order had substance, 6842, relevance, 14323, 14713, 14860, merit, 19984, was well taken, 15314, had some validity. The Chair reminded the member with the call of the question before the Chair and asked him to confine the points he was making to that matter, 12244.
- As always, a member had taken a perceptive point of order, 14499.
- The Chair thanked a member for his comments, even though there was no point of order, 14983.
- The Chair suggested to a member who had taken a point of order in relation to noise on the Government benches that she look to those members seated on both sides of her, 15149.
- The Chair was sure the member with the call had noted a point of order, 15150.
- There was no point of order except in relation to the request by the member taking the point of order that the member with the call return to the leave of the bill, 15273.
- The Chair was unable to rule on a point of order after a 15-second presentation, 15303.
- A point of order claiming an inability to hear was relevant. Members who had been called to order were placed on three calls, 15313.
- A member was reminded that he was three calls to order, and the Chair hoped his point of order was more relevant than the last point of order he had taken, 16675.
- The Chair takes seriously the taking of frivolous points of order designed to distract the Chair and bring about a commotion in the House. The Chair had already placed two members on three calls to order and would not hesitate to place other members on three calls and evict them if they took frivolous points of order, 16676.
- The Chair would not hear further from members on a point of order in connection with the availability of maps relating to a bill. The Acting-Speaker had ruled on the matter. The Chair had been advised that the maps do not necessarily constitute part of the bill, and consequently their unavailability did not impinge upon the second reading debate, 16901.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Points of order:**

**Upheld:** (continued)

- The Chair had invited several members to present points of order. No member had presented a valid point of order. The Chair hoped that the Leader of The Nationals, who had sought the call to take a further point of order, had a better understanding of the forms of the House than those member who purported to present earlier points of order, 17739.
- A member was wasting the time of the House by taking a point of order, 17745.
- The Chair understood a point of order, 17943, but the member with the call had not been speaking long enough to the Chair to establish whether he was complying with the standing orders, 17949.
- Members should not debate the question before the Chair under the guise of taking a point of order, 17950.
- The Chair will not entertain a point of order merely because a member disagrees with what the Premier or a Minister says during question time. If members disagree with what is said, they have an opportunity to raise the matter at the appropriate time, 18214.
- The Chair could not see any basis on which the Leader of the Opposition could take a point of order, 18214.
- The Chair would listen further to the Premier before entertaining a point of order, 18215.
- The Chair directed the Leader of the Opposition will stop his display of arrogance and resume his seat, 18215.
- On a number of recent occasions the Chair had pointed out to members that question time is not a time for debate. If members do not like the responses provided to them by Ministers they should not question the relevance or accuracy of what has been said under the guise of taking points of order. There are other forms of the House they may use to do that, 18215.
- It is not up to the Chair to make decisions about the accuracy of what is being said, 18215.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Points of order:

**Upheld:** (continued)

- Members make statements of their own volition and have to justify what is said. The Chair is not in a position to make a judgment about the accuracy of the facts and details provided. The Premier was asked a question about police numbers and he is providing an answer about police numbers, 18215.
- A member obviously does not understand the standing orders. The Chair had made a statement in relation to points of order. There could not possibly be a basis for a point of order, unless the member wanted to canvass what the Chair had said. If he wanted to do so, there is a process to be followed; it cannot be done by taking a point of order, 18215.
- Either a member did not know the standing orders or refused to understand what he had read. Standing Order 104 relates to a breach of the standing orders or the practice of the House, not to the accuracy or otherwise of what is said in the House. Members should not misconstrue the standing orders to make political points, 18215.
- A member should take a point of order in relation to the processes and procedures of the House or resume her seat, 18217.
- The Chair acknowledged a point of order that it is unfair, unreasonable and disrespectful for a photographer to photograph members when they were paying their respects to a former member of the House who had passed away. Appropriate action would be taken, 18311.
- A member seeking to take a point of order was reminded that his last point of order was out of order, 18320.
- Members could not simply repeat their questions under the guise of a point of order, 18322.
- The Chair reminded a member that the last time he sought to take a point of order he had been called to order twice, 18478.
- The Chair assumed that a member who had taken a point of order was attempting to assist the member with the call, 18483.

### **Points of order:**

**Upheld:** (continued)

- A point of order taken in relation to the five-minute debate relating to urgent motions had some relevance, particularly as the member with the call was reading from a text that was clearly part of his substantive argument, 18483.
- Although a point of order had some validity, the Chair did not believe that a point of order taken under Standing Order 137 (3) (c) was correct, 18614.
- The Chair had delivered a ruling and would not entertain any further points of order, 19034.
- The Chair was hearing a point of order and declined to give a member the call to take another point of order, 19070.
- A member was directed to state his point of order or resume his seat, 19651, 22955, 22956.
- The Chair could not uphold a point of order. The Premier was clearly making introductory remarks to his answer to a question without notice, 20354.
- If a point of order had achieved anything, it had highlighted the relevance of a Minister's reply to a question without notice, 20539.
- A point of order should not be a speech, 17739, 22278. Members should state their points of order and not precede them with speeches, 20543. Taking a point of order does not give a member the right to debate the issue, 19065.
- Members cannot take points of order simply because they do not like what the member with the call is saying, 20634.
- An allegation of misleading the House cannot be the basis of a point of order 22371, 22771; there are other means of bringing matters of that nature to the attention of the House, 20982, 20985.
- The Chair took the point made in a point of order, 20852.
- Members cannot give their own versions of speeches, make speeches or make personal explanations under the guise of points of order, 20986, 20989, 20991.

## Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Points of order:

**Upheld:** (continued)

- The standing orders do not deal with unintelligible jargon. If a point of order was taken every time something unintelligible was said in the Chamber, members would have to take care, 21271.
- The Chair did not believe a point of order had affected the debate that had just taken place, 21423.
- The Chair could not entertain a point of order as there was no business before the Chair, 21717, and the Chair had already given the call to another member, 21862.
- A point of order did not relate to a matter of relevance, 22141.
- The Chair wanted to hear a relevant point of order rather than a debating point, 22142.
- A member was directed to take his point of order and resume his seat, 22144.
- A point of order may be taken in relation to relevance, but a point of order cannot be taken to correct the record, 22952.

### **Privilege:**

To establish a prima facie case of breach of privilege a member must show how her character, reputation or name has been impugned or how her privileges as a Member of Parliament have been infringed. When seeking to establish a breach of privilege a member cannot relate the details of the matter or debate the substance of it. The fact that a Minister may have given an undertaking to provide a response and failed to do so does not infringe in any way on the privileges or rights of the member who asked the question. The Chair was unable to see how it constituted a breach of the member's privilege, 3209.

Former Speaker Rozzoli had ruled:

The content or relevance of a Minister's answer to a Question on Notice is not a matter of privilege.

That ruling would apply also to an undertaking such as that referred to the member. The Chair also drew attention to a ruling by former Speaker Ellis which stated:

For the Chair to be satisfied that a prima facie case of breach of privilege has been established, one of the

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Privilege:** (continued)

following elements should be involved in such a breach: disobedience to general orders or rules of either House, disobedience to particular orders; indignities offered to the character or proceedings of Parliament; assaults or insults upon members or reflections upon their character or conduct in Parliament; or interference with officers of the House in the discharge of their duties. The Chair must determine also whether the matter complained of could be said fairly and reasonably to be capable of interfering with members in the performance of their duties.

None of those matters applied to the issue raised by the member. If the member could not show how the matter she has raised fell into one of the categories referred to, the Chair could not allow her to continue to speak, 3209.

The Chair would hear no further discussion about a claim of breach of privilege. He could not see how the member was establishing that her privileges have been breached. She was asked to resume her seat, 3209.

The Chair acknowledged that a member had raised a serious matter of privilege that was of great concern to both her and to the House. The Chair reserved his ruling and sought further advice, 3747.

> The Chair resolved that the member has not established a breach of privilege. He referred to the ruling given by Speaker Cooper in 1857, which is based on May's *Parliamentary Practice* and local precedent, and had been the guiding principle in the Legislative Assembly since that date, having been upheld by subsequent Speakers. Speaker Cooper stated:

> A question of privilege ... could not be considered, inasmuch as it has no reference whatever to any proceedings in this House, or to the conduct or language of any person not being a member of this House in connection with any proceedings in this House.

> The actions complained of by the member had not prevented her from exercising her freedom of speech in the House, nor from attending the service of the House. This was not to say that the member's complaints and the issues they invoke were not serious. The Chair considered any actions intended to impede members from raising the concerns of their constituents in public meetings or forums raised serious issues. Such actions may

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Privilege:** (continued)

- even be considered a contempt of the House. However, as there had been no impairment of the member in relation to her duties in connection with the proceedings of the House the Chair could not rule that a breach of privilege had occurred, 4081.
- It is important for members to be able to obtain answers to correspondence from Ministers. However, it is not a breach of privilege for a Minister to respond directly to a constituent and not through the member who raised the issue. The Chair ruled that the member had not established a prima facie case of breach of privilege, 4373.
- The Chair cannot direct a Minister how to answer a question, whether it be a question on notice or a question without notice. A member claimed that his privilege had been breached because a Minister had responded to a question in a certain way. There was no point of privilege, 4989.
- The Chair cannot direct a Minister how to answer a question or, indeed, whether the question should be answered. Although members can take up matters relating to the answering of questions with the Ministers concerned, they are not matters of privilege. Whether a Minister chooses to answer a question or how a Minister answers a question does not impinge upon the way in which a member is able to perform his functions in the House. There was no point of privilege, 5133.
- The Chair had given all members a considerable degree of latitude in question time, during which the conduct of a number of members has been nothing less than disgraceful. The Chair had been on the verge of directing that a number of them be removed from the Chamber. The member who had claimed a breach of privilege had been on three calls to order following several interjections. To obviate the removal of several members from the Chamber because of interjection and unruly behaviour, the Chair warned them a number of times that they were on three calls to order. Although the Legislative Assembly is a robust Chamber

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Privilege:** (continued)

- proceedings will be conducted in accordance with the standing orders. The Chair exercises a considerable degree of tolerance, but if members insist on contravening the standing orders, they must suffer the consequences, 6721.
- To be able to make a determination on a claim of privilege relating to an alleged discrepancy between the video recording and *Hansard* the Chair would need to consult further. He requested the Deputy Leader of the Opposition, who had taken a point of privilege, and the relevant Minister to consult with him in his rooms. The Chair would review the matter and make a determination, 7455.

The Chair had had the opportunity to review the tapes, the *Hansard* proof and the verbatim report. Following discussions with the Deputy Leader of the Opposition, the Chair understood that the proof may convey a different impression to the verbatim report. In the circumstances the Chair had directed that the report should reflect the words spoken. No matter of privilege was involved: no member had been prevented from exercising his or her rights or carrying out his or her duties, 7472.

- Because the time for giving of notices of motions had passed, a member was required to seek leave to give notice of a motion in relation to privilege, 9192.
- The standing orders provide that members who believe they have been misrepresented in some way may take a point of privilege at the time the matter to which objection is taken is raised. If members want to take issue with the actions of other members, there are other ways under the standing orders in which that can be done. Under the revised procedures relating to privilege under Standing Order 101, the matter raised by the member must be then before the House. The Leader of the Opposition has raised no point of privilege under that standing order, 10515.
- An error had been made in the recording of the number of a notice of motion. An explanation would be provided to the member and the error would be corrected. However, it was not a matter or privilege, 20367.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Privilege:** (continued)

- A member had raised a matter of privilege relating to comments made in a general sense that she claimed impacted upon her as a member of Parliament. The Chair had not heard sufficient from the member to determine whether she has established a prima facie case of breach of privilege, 22522.
- The member was debating the issue, and was asked to direct her remarks to the alleged breach of privilege, 22522.
- If a member alleges a breach of privilege, it is a matter for the Speaker to determine, in accordance with precedent and practice, if a prima facie case of breach of privilege has been established. The Chair intended to follow that precedent, 22522, 22524.
- The Chair had not prevented the member who claimed her privilege had been breached from continuing to speak, 22523.
- Inappropriate remarks do not necessarily form the basis for a claim of breach of privilege. Previous Speakers have indicated that one element of a breach of privilege is a reflection upon the character or the actions of a member which prevents that member from carrying out his or her duties. On 22 February 1967 Speaker Ellis ruled:

For the Chair to be satisfied that a prima facie case of breach of privilege has been established, one of the following elements should be involved in such a breach: disobedience to general orders or rules of either House; disobedience to particular orders; indignities offered to the character of proceedings of Parliament; assaults or insults upon members or reflections upon their character or conduct in Parliament; or interference with officers of the House in the discharge of their duties. The Chair must determine <u>also</u> whether the matter complained of could be said fairly and reasonably to be capable of interfering with members in the performance of their duties.

The member claiming a breach of privilege had not been obstructed in her duties as a member of Parliament in that she had not been prevented from exercising her freedom of speech in the House, nor had she been impeded in attending the service of the House. Furthermore, to make a privilege issue out of every alleged insult or reflection made about a member in the Legislative Assembly or the other place would,

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Privilege:** (continued)

arguably, in turn threaten a member's right to freedom of speech. The Chair had concluded that a prima facie case of breach of privilege has not been established. The notice of motion given by the member was not worded in such a way as to comply with the standing orders in relation to privilege. However, the option was always available to member to place her notice of motion on the business paper, 22546.

# **Procedure:**

- The standing orders make no provision for the Minister who moved a motion suspend standing and sessional orders to speak in reply to it, 414.
- In response to a point of order claiming that the member with the call was reading a speech verbatim, the Chair noted that the member was referring to several documents on the rostrum in front of him, 416, 710.
- Photographers who enter the public gallery do so with the permission of the Speaker and must abide by a clear set of rules and guidelines. Those rules are spelled out to photographers before they come into the Chamber and they are also given a copy of them. The Chair expects photographers to abide by those rules. If they do not they will not be allowed to enter the Chamber, 3609.
- The Chair is not a clairvoyant. There seemed to have been a presumption on a number of occasions that the Chair is aware of who wants to speak in the debate and members sit in their seats and wait to be given the call. The Chair cannot give members the call unless they stand and seek it in a loud voice, 4796.
- When the Chair announced the result of a division he ordered that the doors be unlocked. A Parliamentary Secretary sought the call from the Opposition side of the House. The Chair instructed him to come to the Government side of the House until order was restored. At that time the Parliamentary Secretary was standing at the table. A member of the Opposition then also stood at the table. The Chair asked all members to be seated until order was restored. It was at that time that the Chair called the Parliamentary Secretary, who had the call, 4960.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### **Procedure:** (continued)

- The Chair was unaware whether the matters being referred to a member may come before a court and whether her comments may prejudice any court proceedings. It is a longstanding practice that this Chamber cannot accept the veracity or accuracy of media articles, 6035.
- When speaking to the motion for the suspension of standing orders, members may debate business of the House that might be dealt with by the House if standing orders are not suspended. They are not at liberty to debate the substance of that business, which is what the member with the call was doing. He was directed to return to the leave of the motion for suspension of standing orders and not debate the substance of a matter of public importance of which he had given notice, 6074.
- The standing orders provide that when the Chair directs a member to resume his seat, he shall do so, 6252.
- Although the Chair agreed that an urgent motion was different to the motion moved the previous Thursday, that was immaterial to the matter to be determined in a point of order. The motion moved the previous week lapsed. No determination was made by the House, and the member was at liberty to move the urgent motion of which he has given notice, should the House determine that it should have priority, 6586.
- A member should have been aware that Standing Order 71 relates to a member speaking only once during the same debate, 6586.
- The final determination by the Chair is the question on which the House votes, 7037.
- The procedures of the House had been delayed for several minutes because a member was not in the Chamber to present his second reading speech. It is the responsibility of all members to ensure that they are in the Chamber and ready to proceed at the appropriate time. It is not appropriate that the program of business should be delayed while the House waits for one member. The member was fortunate that the Chair did not order that his business had lapsed, 7134.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

**Procedure:** (continued)

- A second reading speech has an important legal purpose: it gives definition to a bill. A second reading speech may be used subsequently to interpret the bill when it becomes law, and the second reading speech of the member with the call should be specific in relation to its terms, 7561.
- A motion to suspend standing and sessional orders did not deprive the Opposition of the opportunity to argue that a motion for urgent consideration of which an Opposition member had given notice should be given priority. If the Opposition was concerned about that matter being dealt with later than normal, some time could have been saved if the motion to suspend standing and sessional orders was disposed of expeditiously. The Chair allows wideranging debate on a motion to suspend standing and sessional orders. However, the member with the call was asked to confine his remarks to relevant matters. 7602.
- A member had quoted from a newspaper article. There was no way of verifying whether the article was accurate. Unless members can verify the accuracy of what is printed in a media article, they should not use the article as their source, 7975.
- If members do not seek the call it is difficult for the Chair to know precisely what they want to do. Members should be aware of the time at which they wish to become involved in the debate and should seek the call when the preceding speaker resumes his or her seat, 4032.
- If a member wanted to make a substantive complaint against a member who had taken a point of order, there were procedures available for him to do so. The Chair cautioned the member with the call against making offensive comments about the member who had taken the point of order, or other members of the House, 12245.
- There are forms of the House available to members to show how they have been misrepresented, 13061.

# **Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA):** (continued)

### **Procedure:** (continued)

- The standing orders do not make provision for the moving of a closure motion when a member is speaking to a motion to suspend standing and sessional orders. The motion was ruled out of order pursuant to Standing Order 405 (5), 13586.
- A matter referred to in the five-minute debate relating to urgent motions was in the public domain and had been raised in the media on a number of occasions. The standing orders do not preclude the member from making passing reference to it in his speech to show why is motion should have priority, 14241.
- An Opposition speaker was debating the substance of a bill that was foreshadowed to be introduced as a result of a motion to suspend standing and sessional orders. That placed the Minister who had the carriage of the bill in great difficulty because in delivering the second reading speech he would not be able to respond to what the Opposition speaker had said. Those matters went beyond the suspension motion.; they related to debate on a bill that was not before the House, 14649.
- The Chair took exception to an interjection during his ruling and reminded the member who had interjected that he was on three calls to order. The manager of Opposition business knew that the remarks of the Chair were relevant to the debate. He would have the opportunity to debate the matters to which he had referred during the debate on the legislation, 14649.
- The manager of Opposition business knew that his assertion relating to the Attorney General conferring with the Chair was incorrect. When the Leader of the House moved that standing and sessional orders be suspended, he said that the Attorney General would deliver only the second reading speech. The claims by the manager of Opposition business about an unwarranted delay were not factual, 14649.
- The manager of Opposition business knew that his claims were not made in accordance with the standing orders. The Chair ruled him out of order, 14649.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Procedure:** (continued)

- A member of the Opposition had not been on his feet seeking the call, which was given to a member of the Government, 15313.
- The Chair would not hear further from members on a point of order in connection with the availability of maps relating to a bill. The Acting-Speaker had ruled on the matter. The Chair had been advised that the maps do not necessarily constitute part of the bill, and consequently their unavailability did not impinge upon the second reading debate, 16901, 16902.
- A representative of the Opposition would have an opportunity to contribute to the debate on a motion to suspend standing and sessional orders at the appropriate time, 17089.
- A point of order having been taken in relation to Standing Order 137, the Chair pointed out that notices of the motions for urgent consideration had been given but there had been no determination by the House as to which motion would have priority. Therefore, there was no motion before the House, 17600.
- The Chair noted that a member's speaking time had expired, 17950, 19351.
- The Chair acknowledged a point of order that it is unfair, unreasonable and disrespectful for a photographer to photograph members when they were paying their respects to a former member of the House who had passed away. Appropriate action would be taken, 18311. It is not appropriate to take photographs when members stand in their places as a mark of respect following an announcement of the death of a former member, 20679.
- As a motion of censure was before the Chair, the Chair could not accept a closure motion, 18904.
- The Government School Assets Register Bill 2005 was substantially the same as the Government School Assets Register Bill 2003, which was defeated at its second reading on 2 September 2004. Any proposed motion "That this bill be now read a second time" thus fell within the terms of Standing Order No. 164, which

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Procedure:** (continued)

provides that a motion that is the same in substance as any question already determined in the affirmative or the negative in the same session is disallowed. Accordingly, the Chair directed that the order of the day be discharged from the business paper, 19033.

One bill bore the date 2003, the other was dated 2005. The contention that the bill was different because of the difference in the year was not valid. Standing Order 164 is specific. It provides:

The Speaker and the Chairman may disallow any motion or amendment which is the same in substance as any question already determined in the affirmative or in the negative in the same session.

The change in the year did not materially alter the substance of the bill. As the bill had already been defeated by the House during this session of Parliament, the Chair ruled that it was out of order to proceed with substantially the same bill with only a change in the date, 19033.

The issue was not the merits or otherwise of the bill. The issue was the standing orders of the House, which provide that if a bill had been already defeated during the present session, it was not proper for the House to reconsider what was essentially the same bill. The Chair had determined that the bill was, in substance, the same bill that had already been defeated in the House. Therefore, the Chair had no choice but to rule that the bill could not be dealt with further, 19034.

The Chair was sure that research could be undertaken in relation to precedent, but the question was not one of precedent. The question was whether the standing orders are to be upheld. The Chair was not aware whether these circumstances had arisen in the past and, therefore, there may not be any precedent. However, that did not allow the House to contravene Standing Order 164. The Chair relied on the advice of the Clerks and on his own understanding of the standing orders to rule that to further deal with the bill would be a clear contravention of Standing Order 164, 19034.

The Chair had ruled on the matter and would not entertain any further points of order, 19034.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

**Procedure:** (continued)

The Chair noted that the member who had been given the call was a lawyer. There had been a good example during the debate why the House should be preserved from more lawyers, 20960.

The Chair had not put the question, 21400.

- A member could speak only to the motion moved by the Leader of the House; she could not speak to her own motion, 21400.
- The Chair drew the attention of a member to the standing orders and asked him to comply with them, 21422.
- An amendment to insert in a motion of censure not only the name of a member other than the member originally named, but also the rationale for purporting to amend the motion to censure that other member, was not an amendment to the motion; it was a different motion of censure, 21709.

### Questions on notice:

To ensure that questions on notice comply with the standing orders, there is sometimes an attempt to correct questions. That is done to assist members and it is often done in consultation with the member who has submitted the question. If a member was unhappy about the way the question had been recorded, the Chair would allow him to discuss it with the Clerks and arrive at a version with which he was happy and which complied with the standing orders, 20367.

# Questions without notice: *Form*

Questions ruled in order, 4830.

Questions ruled out of order, 8007, 10188.

- A question was too lengthy. The member was asked to revise it, and she would be given the call later, 1500, 12271.
- The terminology "and related matters" as part of a question had been in use long before the member who took a point of order in relation to its use had graced the Chamber, 1557. The Chair had recently ruled on the use of the words "and related matters" in questions; previous Speakers had ruled on the matter. The question in relation to which a point of order had been taken was ruled to be in order, 2126.

# **Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA):** (continued)

### **Questions without notice:**

#### *Form:* (continued)

- A question without notice was clearly not related to the Minister's portfolio, 3076, 10188.
- Questions should seek information, 3737, 13961. They should not be argumentative, highly emotive, subjective or contain derogatory or defamatory words, 3737, 5468, 7169. They should not debate the issue, 3737. They should not direct a Minister to undertake certain action, 3745. Although the Chair had allowed members a degrees of latitude, he would not continue to do so and would carefully examine the wording of questions, 3737, 4830, 7169.
- Questions without notice should provide sufficient information to direct a Minister's attention to the relevant issue; they should not contain detailed information, 7594.
- The Chair had difficulty understanding a question without notice, which continued at some length and contained a purported quote. The time taken to ask the question was longer than the Minister was given before he was interrupted by a point of order from the member who asked the question. The Chair had serious reservations as to whether the member could repeat her long-winded question, 7862.
- A question was clearly a substantive personal attack on a Minister, 10188.
- The Chair had drawn the attention of all members previously to the use of inflammatory language when asking questions. On a number of occasions members had been asked to reword their questions. The Chair asked the member with the call to do so; he would be given the call again later, 11705.
- Although the Chair acknowledged the relevance of some of the matters raised in a point of order, the thrust of the question in relation to which the point of order was taken was what would happen to a report when it was prepared by the Police Integrity Commission, not when it would be publicly available, which was the thrust of a question on notice, 12385.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Questions without notice:**

Form: (continued)

- Former Speaker Rozzoli ruled that a question that sought factual information for use in a forthcoming debate was in order. He had not upheld a point of order that the question anticipated debate. he Minister was allowed to continue his reply, 13961.
- The Chair directed a member to reword his question and he would then consider whether it was in order, 19518.
- A question had taken the form of a speech. Questions should contain only as much information as required to make them meaningful. The question contained far more information than necessary, 20356.
- Questions should be framed in language that is not defamatory or uncharacteristic of the language that should be used in the Chamber, 21114.
- Questions should seek information, not provide facts. The member would given an opportunity to reword the question at a later stage, 22656.
- The standing orders are explicit that a question should be a question, not a speech. The member would given an opportunity to reword the question at a later stage, 22657.

### Minister's latitude

- Former Speaker Ellis ruled that it is not out of order to seek information regarding the Government's intention with respect to the implementation of a bill. The Minister's answer fell clearly within that ruling, 266.
- The Chair cannot direct a Minister how to answer a question, 864, 1558, 1655, 3610, 3904, 4200, 4365, 5317, 5470, 7019, 10007, and in any event the Leader of the Opposition was interjecting in relation to matters the Premier was dealing with in his response, 6250. How a Minister answers a question is a matter for him, 5314, 6251. A Minister is at liberty to answer the question in any way he sees fit, provided he complies with the principles of relevance, 10007.
- The Premier and Ministers were answering, or attempting to answer, the questions they were asked, 1047, 4518, 4828, 4834, 9410,

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

# **Questions without notice:**

Minister's latitude: (continued)

- 12130, 15143, 5578, 15798, 15993, 16914, 17084, 17875, 18082, 18741, 18923, 19056, 19174, 19516, 19979, 20689, 20693, 20842, 21694, 21978, 22141, 22366, 22369, and the Premier was entitled to read from material when doing so, 16144, and the Chair did not understand what part of the Premier's answer the Deputy Leader of the Opposition did not understand, 22655.
- A Minister was asked to continue with his answer rather than indulge in a pronunciation session with a member of the Opposition, 1347, not to start his answer again, 19650, to keep his answer relevant to the question he was asked, 19821, to resume his reply and to bring it to a speedy conclusion, as the Chair was concerned about the way he was referring to a particular person, 19651, 19652, to draw his answer to a conclusion, 20546.
- The Chair drew the attention of the House to a number of rulings by previous Speakers relating to the matter of relevance. Speakers Levy, Kelly and Rozzoli ruled:

It is optional with Ministers how they answer questions addressed to them.

Speaker Ellis ruled:

A Minister is not confined in answering a question, however explicit.

Speaker Ellis also ruled:

The Speaker has no power to restrict a Minister.

The precedent was consistent, and the Chair had ruled in accordance with that precedent, 7020.

- The responses of the Premier and Ministers were clearly audible, 15791, were totally in order, 15993, 21412, were relevant to the question, 4077, 12573, 13061, 19518, 19643.
- The Chair, having had a brief opportunity to consider Standing Order 140 (5) reserved his ruling on a point of order relating to answers to questions without notice, 19821.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Questions without notice:**

Minister's latitude: (continued)

The Chair is not in a position to direct Ministers how to respond to questions without notice, as the standing orders are silent on whether answers to questions without notice have to be provided in the House. However, it is highly desirable for answers to be given by Ministers in the House, and not privately to members. One of providing supplementary avenue answers is under Standing Order 140 (5). 19831. On 18 October 2005 the Premier advised that he would obtain a report from the Minister for Health on the matter the subject of a question without notice. On 15 November the Premier advised the House that the Minister for Health had responded. The Premier had provided an answer to the questions asked by the Leader of The Nationals and it is his prerogative whether he wishes to provide a supplementary answer in accordance with Standing Order 140 (5). The Chair asked Ministers to always bear in mind, and whenever possible abide by, the convention that answers to questions without notice be provided in the House, 19831.

- A member knew that a claim of tedious repetition relates to an attempted filibuster or the terms of speech or response to a question. A Minister is entitled to respond to a question at any time, irrespective of whether the matter has been raised previously. The fact that the matter may have been raised at some earlier time in a different context, or even in the same context, is not to the point. The Minister was perfectly at liberty to answer the question he was asked, 21111.
- A Minister was providing a valid response. Ministers are permitted to give a preamble in relation to the specific responses they wish to give, 21412.
- The Chair assumed a Minister was well prepared for all answers, 21416.
- A Minister was asked a specific question and had provided a substantive answer. He then sought to broaden his reply. Although the Chair had no power to direct the Minister to do so, he asked him to ensure that he stayed within the leave of the question, 21864.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

# **Questions without notice:**

*Minister's latitude:* (*continued*) A Minister was in order in referring to the shadow

- spokesperson, 21866.
- Ministers should not goad members of the Opposition, 21984.
- The Premier was making general comments before answering the question, 21985.
- A Minister had not contravened any standing order and would have to bear the responsibility for his actions, 22139.
- The Chair noted a point of order and presumed the Premier was coming to the end of the preamble to his response, 22278.
- The Premier was directed to answer the question he was asked, 22279.
- The Chair had not heard a Minister made reference to the provisions of a bill. The question sought information from the Minister and he was within the standing orders in providing that information, which may be of use to member in future debate. In responding to the question the Minister should not make reference to legislation that may come before the House. The Chair suggested that the Minister determine the most relevant information to convey to the House and round off his response, 22375.
- Despite several warnings a Minster was giving information about proposals that may come before the House. The Chair had allowed him considerable latitude in providing information, and asked the Minister to restrict his response to providing information requested in the question and not to pre-empt any legislation that may come before the House, 22376.

# Procedure

- The Chair had ruled in relation to points of order relating to relevance, and had substantiated those rulings by reference to rulings of former Speakers. He would give no further rulings on the matter, 7027.
- Members are not entitled to debate questions, 9047, cannot ask the same question twice, 18082.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### **Questions without notice:**

#### **Procedure:** (continued)

- At the time a member sought the call there were a number of interjections. The Chair intended to give the call to an Independent because he had adopted the practice of giving the Independents the call to ask two questions without notice each week. One Independent member sought and was given the call. Members on both sides of the House would have been aware of the fact that as that member was standing he would be given the call, 20367.
- A Minister was already answering a question, 21415.

#### Supplementary questions

Supplementary questions ruled in order, 549, 19827.

- Supplementary questions ruled out of order, 116, 703, 2129, 4370, 4522, 4835, 5232, 5474, 9823, 11442, 12386, 17087, 17331, 17947, 18478, 18479, 18741, 19649, 20364, 20543, 20695.
- A supplementary question tended to provide more information than it sought. Asking questions without notice is a way of seeking information; it is not a way of providing information to the Chamber. The Chair intended to enforce a number of rulings by former Speakers in that regard much more strictly in the future than he had done in the past, 3326.
- The Attorney General had dealt with the matters referred to in the question. The Leader of the Opposition had sought further information and the Attorney should reply to that question, 4073.
- A supplementary question must arise from the Minister's answer, 5132.
- A supplementary question was clearly a separate question, 11442, 17947.
- The Leader of the Opposition has held that position for only a short time, so it was understandable that he was not showing a great degree of leadership. He had been told clearly that under no circumstances was his question a supplementary question and the Chair had ruled it out of order, 18479.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

# **Questions without notice:**

Supplementary questions: (continued)

- There was a substantial difference between a question on notice and a question without notice asked by the same member. The question on notice referred specifically to funding, whereas the question without However, notice did the not. supplementary question sought no information additional to that supplied by the Minister is her reply and was ruled out of order, 18741.
- The Chair had listened closely to a supplementary question. The Premier had answered the question when giving a detailed response to the original question. Members cannot purport to ask supplementary questions by seeking information that was provided in the answer to the original question, 20695.
- A Government member had asked a question. That did not give other Government members the right to ask supplementary questions, 21693.
- A member who sought the call to ask a supplementary question was too late; the Chair had given the call to another member, 22143.

#### Supplementary answers

A Minister was asked to confine himself to his supplementary answer, 1508.

- A Minister had sought to provide a supplementary answer. The Chair had not heard enough of a Minister's answer to rule on whether the first part of a point of order had any validity. In relation to the second matter, the Minister was entitled to provide a supplementary answer to a question that was asked during question time the previous day or at any other time, 7170.
- A member knew that the Minister was providing a supplementary answer to a question that the asked by the member the previous day. The Minister was not reflecting in any way on the member, 7172.
- A Minister was entitled to provide additional information to her original answer, 11445.
- The Premier was providing a supplementary answer, 21871.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

**Relevance:** (continued)

- A member was merely making passing reference to a matter outside the leave of the motion and would deal appropriately with the comments of the member who had taken a point of order claiming his remarks were irrelevant, 180.
- A member understood that his remarks were outside the leave of the motion and would conclude his speech by referring to the motion, 180.
- Members should confine their remarks to the question before the Chair, 1171, 2971, 3236, 6040, 10963, 12244, 13260, 14241, 15279, 19832, 22777.
- A member's remarks were only a preamble to his contribution, 172, 277, 3212.
- In debate on the Industrial Relations Amendment (Public Vehicles and Carriers) Bill, a member could refer to industrial relations generally. However, he would be accountable for what he said, 4338.
- The Chair reminded members of the relevance of Standing Order 138 to the debate, 4371, 5024, and was reluctant to invoke it, 6040.
- Various matters that had been canvassed in a second reading speech in relation to various personalities appeared to be outside the leave of the bill, 7561.
- Not only were the comments of a member outside the leave of the bill, he had earlier given an undertaking that he would not mention a specific name and would speak in generalities. He was advised to comply with the undertaking and proceed accordingly, 7562.
- A motion for the suspension of standing and sessional orders did not relate to the matter referred to by the member with the call, 7563.
- A member may have had a point when he claimed that the answer to a question without notice was about as irrelevant to the question as it could possibly be, 7696.
- Having reviewed the object of the bill being debated, the Chair ruled, in response to a point of order, that the speech of a member clearly pertained to the overview of the bill, 7830.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

## **Relevance:** (continued)

- The Chair was satisfied the member with the call was making only passing relevance to a matter not within the leave of the bill being debated, 7974.
- A number of points of order had been taking asking that speakers be directed to return to the leave of the bill. Although debate is generally fairly wide ranging, it would assist and facilitate the important issues at hand if members tried to confine their remarks, as much as possible, to the leave of the bill, 15277.
- The question before the House related to the suspension of standing and sessional orders. A member could argue why he believed standing and sessional orders should not be suspended. He was dealing with material outside the leave of the motion and was asked to return to it, 21699.
- The Chair was normally tolerant in debates on urgent motions. However, a member had been speaking for almost half his allocated time and had rarely touch on the subject matter of the motion. He was asked to confine his remarks to the question before the Chair, 20998.

### **Reordering of general business:**

- As the Government agreed to a motion to reorder general business there was nothing more to be said. The member who moved the motion to reorder general business had made out her case and the standing orders had been complied with, 862.
- A question had arisen as to whether a member who had moved a motion to reorder general business was entitled to continue speaking to the motion after the Government had agreed to the motion. It has been a longstanding practice of the House, when such an indication is given, that the matter be put to a vote immediately to save the time of the House. The member who moved the motion need not then further convince the House of the validity of the argument. The Chair proposed to continue that practice, and in support of that ruling cited a decision of former Speaker Rozzoli given on 29 November 1990, 872.

Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

# **Reordering of general business:** (continued)

- A member had only given notice of a motion for a bill; it could not be reordered for the following day, 7444.
- The Chair ruled a motion to reorder general business out of order, 9994.
- Members should give reasons why their motions should have precedence. They should not deal with the substance of those motions, which would be dealt with when the motions are debated, 19350, and if members refer to the basis on which notices of motions were given the Chair would rule that they were debating the substance of those motions, 19351.
- A member was seeking to reorder a motion of which he had given notice earlier the same day, 19351.

# Special adjournment:

- A special adjournment motion moved by the Leader of the House contained a typographical error in that it stated that the House would resume on 4 May at 10.00 a.m. That time should have been 2.15 p.m. The Chair requested that the *Hansard* record be corrected, 8117.
- It was well known by all members that on Tuesdays the House resumes at 2.15 p.m., not at 10.00 a.m. The Chair had been advised by the Clerk that the standing orders provide for these types of corrections to be made. The Chair heard sufficient and had received sufficient advice from the Clerk to know that the direction he had given is the correct one. He would not entertain any more frivolous points of order on a trivial and timewasting issue, 8117.

# Sub judice rule:

Although there is substantial precedent and a number of Speakers' rulings in relation to the raising in the House of matters being investigated by royal commissions and matters being heard by juries, the Chair was not aware of any precedent or ruling to the Independent that relates Commission Against Corruption. The Chair intended to allow a question, with two qualifications. The first was that the matter warranted a detailed ruling, and the Chair intended to deliver such a ruling at a

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### Sub judice rule: (continued)

- later stage. The second was that it is important for member who asked the question and the Minister to whom it was directed to bear in mind that the Independent Commission Against Corruption was still hearing evidence in relation to the matter referred to, and that the Assistant Commissioner hearing the matter may make some comment in relation to the issues raised in the Chamber, 14318.
- The rule that motions, debates and questions should not make reference to matters awaiting or under adjudication is intended to ensure that there is fairness, that there is no prejudice, and that Parliament does not prejudge findings or influence a jury or witnesses. The Independent Commission Against Corruption is not a court of law, and questions have been asked and answered in this House in relation to then current ICAC investigations. However, if the Chair perceives that questions, debates or motions give rise to a real and substantial danger of prejudice to proceedings, those questions, debates or motions should not be allowed. In some instances the greater public interest may lie in restricting debate or questions if they canvass evidence. clearly prejudge proceedings or seek to influence the finding of the commission. Members enjoy freedom of speech in this House. That parliamentary privilege is expressly recognised in section 122 of the Independent Commission Against Corruption Act. However, members need to be aware that this privilege should be exercised with care so that, in the interests of justice, a witness does not feel inhibited or that his or her legal rights have been denied, 14704.
- The Chair cautioned the member with the call that his claim that the sub judice rule does not apply to cases that do not involve a jury was incorrect, 14990.

# Tabling of documents:

- A member had been in the House long enough to know that he could not table a map; he could make it available for perusal by other members, 708.
- There is no provision in the standing orders for members to table documents, 3469, 3475, 11288, 21107.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

#### Use of mobile phones:

- The use of mobile phones in the Chamber is discourteous, 13193, and grossly disorderly. In future the Chair would take a more serious view of the use of mobile phones in the Chamber by members. A member was asked to either put away his mobile phone or use it outside the Chamber, 13572.
- In the past the relevant procedures in relation to mobile phones had been followed. However, in view of the issues raised in a point of order, and bearing in mind the large amount of electronic equipment now issued to members, the Chair agreed that further consideration should be given to the type of mobile phone used in the parliamentary precincts and how that equipment is used, 13572.
- The Chair had informed the House that he intended to make a major statement in the new session of Parliament about the use of modern technology in the Chamber. Members were asked to refrain from using mobile phones in the Chamber in the meantime because of the disruption caused to other members, 13865.

### Use of props:

- The Speaker had not been in the chair in 2002 and had no recollection of matters relating to the use of props referred to by a member in a point of order, 2954.
- Members were directed to cease using props, 3742, 4837.
- The Chair advised the Leader of The Nationals to discuss with his colleague the Deputy Leader of the Opposition the problems associated with bringing props into the Chamber, 6170.
- The Chair advised a member who had taken a point of order to consult the dictionary as to what constitutes a prop, 6830.
- The Chair noticed that a member had a photograph. He did not know who is shown in the photograph, but reminded the member of the precedents in relation to the use of props, 10517.
- A member was asked to desist from displaying photographs, 10866.

# Mr SPEAKER (The Hon. JOHN JOSEPH AQUILINA): (continued)

### Use of props:

- The Chair had called a member to order the previous day for displaying props similar to that which the Leader of the Opposition was displaying. The Chair warned all members to place similar props out of sight. If they did not they would be placed on three calls to order, 16140.
- The Leader of the Opposition knew the standing orders in relation to the use of props, 16670.
- A member was attempting to resort to his usual tactic of displaying a prop. He knew the Chair's attitude towards props, 20540.
- A member was well aware of the standing orders in relation to the use of props, 21116.
- The Chair understood the Leader of the Opposition intended to use a prop. Sometimes adopting a Nelsonian stance could work wonders, but the Chair would not adopt that stance on every occasion. The Leader of the Opposition was permitted to proceed with a point of order but was asked not to use the prop he had in his hand, 21688.

#### Wearing of badges in the Chamber:

The Chair was not aware of any standing order that prohibits members wearing badges. From time to time members have worn badges in support of certain causes. The Chair could not see how members who were wearing badges were being disruptive and could not see any basis for ruling on a point of order in relation to the matter, 17332.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE):

AS THE ACTING-SPEAKER:

## Announcements:

Death of Mrs Anne Michelle Aquilina, 2438.

### Chair:

Members should not challenge the rulings of the Chair, 2643.

#### **Consideration of Urgent Motions:**

When speaking in the five-minute debate relating to urgent motions, members must give reasons why their motions should receive priority and not debate the substance of those motions, 2651.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

### **Dress Standards:**

The Chair would not rule on a point of order taken in relation to dress standards in the Parliamentary Press Gallery. He would refer the matter to the Speaker, who would make an appropriate ruling for transmission to the press gallery, 2866.

# Interjections, interruptions and disorder:

## Interjections

Ministers should refrain from responding to interjections, 2640.

### Order and Decorum

- The Chair would not tolerate disorderly conduct; the member with the call would be heard in silence 2638.
- There was too much interchange across the Chamber, 5803.
- The Chair reminded those in the public gallery that, despite their enthusiasm, the debate concerned only the members of the Chamber. The Chair would appreciate it if they could restrain their enthusiasm until they were able to talk to members in the foyer, 12254.

## Points of Order

- The Minister with the call needed no assistance from a member who had taken a point of order, 2442.
- A member of the Opposition who had taken a point of order was in error; the noise in the Chamber was coming from the Opposition benches, 14918.

# Questions without notice

- Members who have asked questions should listen to the answers in silence, 2439, 2440.
- It was almost impossible for Hansard to hear the Premier; those in the public gallery certainly could not hear him. The Leader of the National Party had asked the Premier a question; the Opposition should allow him to answer it, 2442.
- The Chair had been tolerant, but members who continued to interject would be dealt with promptly, 2445.
- If a member was called to order again, the Chair would ask the Serjeant-at-Arms to remove him from the Chamber, 2447, 2641.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

# Interjections, interruptions and disorder:

- *Questions without notice:* (continued)
- A member was close to being removed from the Chamber, 2448.
- Question time had not concluded and there should be no noise in the Chamber except for the answer of the Minister, 2448.
- If members of the Opposition were concerned about the quality of a Minister's answer, they should at least extend him the courtesy of listening to it, 2856.
- A member who had been removed once from the Chamber was warned that if his present behaviour continued, he would be removed again on the same day, 2858.
- A Minister was answering a question, not making a ministerial statement, 2859.
- The Premier had answered the question he was asked, 17872.
- If the Leader of the Opposition believed the Premier had misled the House, he should deal with the matter by way of substantive motion, 20843.
- The Premier's answer was relevant to the question he was asked, 22366.
- The Chair suggested a member spend some time reading the standing orders, 22372.
- If a member could not help himself, the Chair may have to assist him in resuming his seat, 22372.
- A member was directed to resume his seat or he may receive more help than he anticipated, 22372.

#### Member removed: 2643.

Expressions withdrawn or required to be withdrawn:

"You are a greenie", 6048.

#### **Personal explanations:**

The Chair cannot direct the Hansard staff to do anything. A personal explanation was part of the *Hansard* record, 2865.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

#### **Personal explanations:** (continued)

A member making a personal explanation had strayed from the leave of Standing Order 70. However, the Chair would ensure that the member about whom complaint was made was advised of the concerns of the member with the call, 2866.

#### **Points of order:**

**Not involved:** 2442, 2445, 2447, 2641, 2643, 2644, 2647.

### Upheld:

Members should be addressed by their correct titles, 2663.

Members should confine their remarks to the question before the Chair, 12557.

- The Chair had ruled on a point of order, 2643, 2644, 2646.
- A member's remarks did not constitute a point of order, 2856, 2857.

# **Private members' statements:**

The attention of the Chair was drawn to a ruling made by the Speaker in the previous Parliament in relation to the content of a private member's statement. That ruling indicated that a private member's statement should not relate to party policy or initiatives and that it is not suitable to use the time allocated for private members' statements to announce caucus decisions or to attack corporations in the city. The Chair undertook to give the matter due consideration, 2469.

## **Questions without notice:**

## Minister's latitude

A Minister was directed to answer the question he was asked, 2447.

# Procedure

The Chair is not able to direct Ministers how to answer questions, 2646.

#### Supplementary questions

Supplementary questions ruled out of order, 2648.

#### AS DEPUTY-SPEAKER:

#### Amendments:

An amendment was not acceptable in its current form, 13263.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

### Amendments: (continued)

- An amendment must be relevant to the questions it seeks to amend. Speaker Ellis had ruled that the amendment must be within the scope of the motion and not subversive to the principle, 13264.
- The Opposition had moved an amendment to an amendment, 13267.
- If a member dealt with the specifics of the amendment, the House may be able to continue with the debate, 14327.

#### Announcements:

Remembrance Day, 12723.

#### Chair:

- A member may have been canvassing a ruling of the Chair. If he did so again, the Chair would direct him to resume his seat, 22561.
- The Chair was sure a member was referring to brief notes only, and he should conclude his reference to them quickly, 22562.

#### **Consideration of Urgent Motions:**

When speaking in the five-minute debate relating to urgent motions, member should explain by their motions should have priority, 15585, 15586, and not debate the issue, which was not the purpose of the debate, 11452.

## **Debate:**

- A member had moved an amendment and was speaking to that amendment, 8716.
- It is permissible to develop an argument, 14366.
- A Minister was in order and was permitted to continue his speech, 14550.
- Reading of notes is not allowed; they can be used for passing reference only, 22561.

## **Documents:**

The Chair was sure the member with the call would vouch for the veracity of the document from which he was quoting, 7149.

### Interjections, interruptions and disorder:

#### Conversation

The Chair reminded members of the Opposition that a Minister was replying to the second reading debate. They were asked to refrain from conversing, 23001.

MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

# **Interjections, interruptions and disorder:** *(continued)*

Interjections

- There had been far too much interjection across the Chamber. Interjections from both sides of the House do not help the debate, 3967.
- Government members were asked to refrain from interjecting and allow the member with the call to continue his contribution, 5179, 5180.
- There was too much interjection from members of the Opposition, who would have an opportunity to speak in the debate at the appropriate time, 6474.
- A member was asked to curb his interjections and remain silent, 6856, to cease interjecting so that the Chair could hear a point of order, 11962.
- Members who interject on others should not complain, 12166.
- If a member continued to interject he would be called to order, 14550.
- If a member ceased to responding to interjections the House may be able to return to the leave of the bill and conclude the debate, 14616.
- If less notice were taken of interjections, debate on the bill might be completed, 23000.

#### Interruptions

The Chair asked a member not to attempt to take a point of order while the Chair was ruling on an amendment, 13264.

#### Order and Decorum

- Members who wish to contribute to debate may do so at the appropriate time, 393, 2317, 5460, 7155, 21561.
- Members who wish to participate in the debate should seek the call, 1485.
- Members were directed to restrain themselves, 4872, contain themselves, 9447, 13109, 14917, control themselves, 21554.
- The Chair suggested that a member not canvass the ruling of the Chair. On this occasion the Chair would excuse him, but in future he would take other steps, 6887.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

#### **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

- Two members who had been called to order were unusually noisy; the Chair suggested they remain silent, 7503.
- The House was asked to remain silent as Hansard was having difficulty hearing the member with the call, 7503.
- A member had had an opportunity to contribute to the debate, 7155, 9846.
- The member with the call was out of order. If he wanted to address the Chair he should do so properly. The Chair did not want to be screamed at. The Chair suggested that the member with the call use the one second remaining to him to complete his speech, 9978.
- Members are entitled to be heard in silence, 11409, 14550, 14620, 14920, 12590.
- A member was asked to remember that the Chair was in the chair, 13427.
- The Chair hoped the disorderly behaviour of members would not continue for the remainder of the debate, 14367.
- If there was a repetition of a member's behaviour he would be removed from the Chamber, 14920.
- Members were asked to reduce the level of conversation in the Chamber, 14921.
- The House should maintain some standards during debate, 15286.
- The Chair was sure the member with the call would conclude his speech shortly, 15552.
- The Chair would have appreciated the member with the call listening to what the Chair had to say. If he was not willing to do so, the Chair suggested that he return to the leave of the bill and continue the debate, 17475.
- A member had had an opportunity to speak in the debate, 21555.
- Members should control themselves, 22000.
- The member speaking was the only member with the call, 22191.
- A member was not misleading the House, 23101.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

# Interjections, interruptions and disorder: *Points of Order*

The Chair can deal with only one point of order at a time and would decide what action to take in relation to the point of order, 6327.

# Offensive and objectionable remarks, imputations and aspersions:

- A member who wishes to launch an attack on another member should do so by way of substantive motion, 5164, 14326, 17475.
- The forms of the House allow a member who claimed the member with the call had cast aspersions on others to raise the matter at the appropriate time, 6475.
- A member was warned not to reflect on the Chair, 8873.
- A Minister was asked to withdraw the comment " ... not like that blow-in into Bega", 10965.
- A member was close to being in contempt of the Chair, 13269.
- The Chair found the term "lying his head off again" offensive and asked the member who had used it to withdraw. The member refused to do so. After being grossly discourteous to the Chair the member was directed to resume his seat. The Chair apologised to the Minister with the call for being unable to obtain a withdrawal, 16694. Gross discourtesy did the member no credit, 16695.
- The member with the call was aware of the Speaker's ruling in relation to claims that members are telling lies, 16897.
- If a member felt affronted by the remarks of another member, she should use the forms of the House at the appropriate time, 23000.

# Expressions withdrawn or required to be withdrawn:

"We have seen these lackey Labor Independents running around country New South Wales ... ", 13268.

#### **Points of order:**

Not involved: 392, 1989, 2317, 3092, 3094, 3095, 3192, 5463, 5464, 6268, 6443, 6475, 6700, 7580, 7581, 8016, 8715, 8716, 8717, 8872, 9060, 9846,

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

# Points of order:

# Not involved: (continued)

11963,	11965,	11966,	12166,	12589,		
12590,	13261,	13262,	13263,	13265,		
13266,	13269,	14918,	15294,	15585,		
16896,	16897,	17477,	21555,	22381,		
22998, 23101.						

## Not upheld:

A member had not addressed the motion before the House, 11068.

### Upheld:

Members should address the question before the Chair, 2316, 4968, 6887, 7580, 9195, 9228, 10914, 22384, 22561, 22995.

The Deputy Leader of the Opposition should behave with some decorum, 6443.

Members should be addressed by their correct titles, 11172.

When speaking in the five-minute debate relating to urgent motions, members should confine their remarks to the reasons their motions should have priority, 11556.

A substantive motion was available to a member who wished to launch an attack upon a person who was not a member of the House, 13264.

- The Chair would rule on whether a member could speak for 10 minutes to a point of order, 1989.
- A member's remarks did not constitute a point of order, 3192, 6180, 6442, 7034, 7503, 8748, 13269, 14367, 14920, 16695, 22000, 23000, 23002, they constituted a point of information, 8020.
- The Chair was unsure whether a claim of misleading the House could constitute a point of order. In any event, the member's speaking time had expired, 3752.
- Although a point of order had some validity, a member was asked to complete his speech, 9978.
- A member had every right to take a point of order; the member with the call was asked to complete his speech, 9978.
- The Chair would hear further on a point of order, 10914.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

#### **Points of order:**

**Upheld:** (continued)

- A member cannot take a point of order on a point or order, 11961.
- The Chair had heard sufficient on a point of order. A member was permitted to continue his speech, 11962.
- The Chair hoped a point of order would be relevant, 11963.
- A point of order was academic as the member's speaking time had expired, 11963.
- A member was allowed to speak to a point of order after the Chair had ruled on it. The Chair reminded the member that he had already ruled against the point of order and suggested that she continue her contribution, 11963.
- The Chair asked a member not to start her point of order again, 11964.
- The Chair was not interested in the opinion of a member who had taken a point of order, the Chair having ruled against the point, 11966.
- A point of order had some merit. The Chair suggested that a member speak to the amendment to the motion, 12393.
- The Chair found difficulty in finding a point of order in a member's remarks, 14121.
- The Chair understood a point of order, 14366.
- A member's remarks had nothing to do with a point of order, 14367.
- A point of order was reasonable: if a member intended to move a substantive motion against another members, he should do so using the forms of the House, 17475.
- The Chair thanked a member for his thoughtful point of order. Given the latitude given to the previous two speakers, the member with the call was allowed to continue, 22824.

#### **Private members' statements:**

A member had introduced two subjects into his private member's statement, 13556. The Chair had allowed the member some latitude but that would not happen again, 13557.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

# **Procedure:**

- In response to a point of order asking that a member verify that he had prepared his speech, the Chair noted that the member was making passing reference to notes, 172.
- The Parliamentary Secretary had returned to the table, and the member with the call was permitted to continue, 3092.
- A member questioned whether a Minister had sought the call to provide a supplementary answer before the Leader of the House moved a motion to suspend standing and sessional orders. The occupant of the chair had not given the Minister the call, and as the Minister was not in the Chamber, the Chair directed that the business of the House proceed, 3097.
- A member was dealing with the operations of another Chamber. Development applications were not usually dealt with by the legislative Chamber. Past rulings indicated that the member may have been only marginally in order. The Chair suggested that in future the member should deal with the matter in a different way, 3250.
- A member was asked to name the newspaper he was referring to the date of the article concerned, 3754. Members should not read extensively from any newspaper; they may make passing references. Members must identify the document to which they are referring and provide the date of it, 3754. Members are entitled to refer to newspaper reports but they must guarantee the veracity of the documents, 7728. If a member continued to quote from newspapers, he should give the House the date of the article, 14121.
- A member who wishes to launch an attack on another member should do so by way of substantive motion, 5164.
- Members of the Opposition were reminded that one of their number would have the opportunity to speak every 15 minutes, 7502.
- Although a Legislative Council bill may have been amended in that House, the second reading speech had not changed, 8053.

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

**Procedure:** (continued)

- A member had the right under Standing Order 73 to make the statement he had made, 9031.
- A Minister was not required was not required to identify any document as had not quoted from any documents, 14550.
- A member was denied leave to speak in the debate, 23101.

## **Relevance:**

- The Chair was sure a member was making only passing reference to *Hansard*, 1989.
- Members should confine their remarks to the question before the Chair, 2964, 3091, 3339, 3967, 5163, 5179, 8877, 10914, 14121, 14326, 14366, 14613, 15285, 15551, 16455, 22124, 22560, 22561.
- The Chair assumed a member was making only passing reference to allegations against another member and would return to the question before the Chair, 5163.
- A member was asked to return to the subject matter of the debate. If there were fewer interjections and members listened to her contribution quietly, she might be able to conclude her speech, 6264.
- The Chair was sure members would return to the substance of the question before the Chair, 6266, 6326, 6327, 6887, 7727, 10914, 11961, 11962, 11963, 11964, 12390, 13262, 13268, 13427, 14121, 14326, 14327, 15590, 17475, 21997, and if a member did not do so he would be asked to resume his seat, 17475.
- So far as the Chair was aware Osama bin Laden was not part of the debate, which related to Hoxton Park and Bankstown airports. The Chair suggested that the member with the call deal with the substance of the debate, 6327.
- If a member pursued her present line and did not deal with the subject matter of the debate the Chair would direct her to resume her seat, 6327. The member was testing the patience of the Chair. Her remarks had nothing to do with the motion. If she did not intend to speak to the motion, the Chair would call the next speaker, 6327. She was asked not to twist the words of

# MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

#### **Relevance:** (continued)

- the Chair. She was aware of the specific terms of the motion; if she was unable to speak to it, she should ask one of her party members to do so, 6327. The speaking time of the member had almost expired. In a final warning the Chair suggested that she return to the subject matter of the motion. If she did not she would be directed to resume her seat, 6328.
- The criticism by the member with the call of a member of the Chamber was sufficient to establish his concern about the reason for the introduction of the bill, 9619.
- The Chair suggested that a member make valuable use of the precious little time remaining to him during the debate by addressing the question before the Chair, 11962
- The Chair was sure the member with the call was trying to make a positive contribution to the debate, 11962.
- A member was entitled to address the subject matter of the motion in the way she had because of the amendment that had been moved, 11965.
- The Chair was sure the member with the call would note the comments made in support of a point of order, 14366.
- The Chair would extend the same licence to the member with the call as he had given to other speakers in the debate, 15287.
- The Chair was happy to invite a member to return to the leave of the bill, provided that ruling was observed by all other speakers in the debate, 15288.
- The debate was about occupational health and safety, not donations to political parties, 16454.
- The Chair drew the attention of the member with the call to the subject matter of the debate, 16458.

### Tabling of documents:

- The Chair cannot require a Minister to table any material. However, the Minister may attest to the veracity of the material, 3750.
- The Register of Disclosures had been tabled and was a public document, 3754.

MR DEPUTY-SPEAKER (MR JOHN CHARLES PRICE): (continued)

AS CHAIRMAN OF COMMITTEES:

#### Amendments:

Consideration of amendments moved in Committee is restricted to narrow parameters. A member may not introduce new material or canvass matters already debated, 1411.

## Interjections, interruptions and disorder:

#### **Interjections**

Members should not respond to interjections, 7836.

#### Order and Decorum

- There had been enough unparliamentary language and conduct from members on both sides of the Chamber. Members were asked to conduct themselves with decorum, 1409.
- Hansard was having difficulty hearing the member with the call. Members were asked to reduce the level of conversation, 1614.
- The Chair was sure the member with the call would restrain himself, 7833.

# Offensive and objectionable remarks, imputations and aspersions:

The Chair suspected that the words "sanctimonious jerk" were unparliamentary and would not tolerate the use of such language, 1408.

# Points of order:

### Upheld:

Members with the call in Committee should confine their remarks to the amendment before the Committee, 1407, 1410.

Consideration of amendments moved in Committee is restricted to narrow parameters. A member may not introduce new material or canvass matters already debated, 1411.

### **Relevance:**

Members should confine their remarks to the amendments before the Committee, 7833, rather than make personal comments about Government members, 7832.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS):

# AS ACTING-SPEAKER:

#### Amendments:

- An amendment was wide ranging, and the member with the call had been responding to interjections, 15154.
- The Chair suggested that a member who had taken a point of order should read the amendment, which was wide ranging, 15155.

### **Consideration of Urgent Motions:**

- A member was permitted to make passing reference to extraneous matters when speaking against a motion to suspend standing and sessional orders to permit two additional Government members to speak to an urgent motion, 425, 426.
- The Leader of the Opposition was in order. However, if he quoted from further police radio transmissions, the Chair would be inclined to rule that he was dealing with the substance of the motion rather than the reasons it should be given priority, 6175.
- The Chair was sure a member would continue to establish priority, 15315.
- The Chair advised a member to take account of a point of order claiming that he was not dealing with the reasons his motion should have priority, 18086.
- A member's remarks relating to the reasons his motion should have priority were in order, 18087.
- A member was asked to return establishing why his motion should have priority, 18087.
- Members were aware that the Chair had given a careful, considered ruling on the fiveminute priority debate relating to urgent motions, 22147.

#### **Debate:**

Past practice dictates that a response to a motion to suspend standing and sessional orders may be reasonably wide ranging, 426.

Irony does not always show up in Hansard, 8740.

# **THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS):** (continued)

**Debate:** (continued)

- A Minister could only speak in reply on issues raised during the course of debate. He was not entitled to make new assertions and new allegations. However, the word "Google" was not a contribution to the debate. It is a computer technique and, therefore, a point of order was not relevant, 13585.
- In a second reading debate a member is entitled to make passing reference to matters broadly related to the subject of the legislation. The key words are "passing reference". The Chair suggested to a member that he had reached the end of his "passing reference" stage and that he should return to the leave of the bill. He could make further passing references to the same topic later in the debate, 14751.
- A member was not arguing with the ruling of the Chair. He had moved to another matter, and the Chair was interested in determining its relevance to the bill being debated. He may still have been outside the leave of the bill but the Chair would give him some time to develop his argument, 14753.
- A member was entitled to rebut the remarks of an earlier speaker, 16307.
- A Minister's speech in reply was in order, 21564.
- A member was asked to conclude his contribution to the debate, 22571.

#### **Divisions:**

Order must be maintained during divisions, 15159.

#### **Documents:**

In accordance with ruing of former Speakers, the member with the call was required to identify any documents from which he was reading, 5184.

### Interjections, interruptions and disorder:

#### **Interjections**

The Chair had received a message that Hansard could not hear the proceedings. The Chair asked members on both sides of the Chamber to show some respect for the standing orders and cease interjecting, 4063.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Interjections, interruptions and disorder:** *Interjections:* (continued)

- Members were directed to cease interjecting, 9423, 14545, 15433, 22780. They could seek the call at the appropriate time if they wished to contribute to the debate, 6847, 8742. Hansard was unable to hear the member with the call, 4845; only one member had the call, 9238. A member had a right of reply, 6272, 6845, 14504, 15154, 18750.
- If members of the Opposition ceased interjecting, the member with the call would be able to continue his speech, 6473.
- There was too much interjection, 16283, from members of the Opposition, 6474.
- The level of interjection in the Chamber was making it difficult for those in the public gallery to hear the member with the call, 8742.
- The Chair counselled the Leader of the Opposition that he may be subject to the same treatment he had received the previous day. He was setting a poor standard for the debate that was to follow, 9423.
- A Minister had a right of reply and was directed to cease interjecting, 20852.

### Order and Decorum

- Members who wish to contribute to debate may do so at the appropriate time, 424, 9035, 16516, 18181, 18484, 21130, 22780.
- If a member wished to contribute to the debate, he should seek the call at the completion of the contribution of the member speaking, who was advised to cease conducting a one-on-one conversation across the Chamber and address his remarks through the Chair, 5186.
- Members should direct their remarks through the Chair, 6483, or the Chair would not hear the point of order, 6591, and not make second-person comments across the Chamber, 20529, and not across the Chamber, 21564.
- A member was canvassing the ruling of the Chair, and was advised to read her motion again, 9040.
- A member was advised that his disorderly behaviour was being recorded on the sound and camera system of the House, 10787.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

# Interjections, interruptions and disorder:

- *Order and Decorum:* (*continued*) A member did not have the call and was directed to resume his seat. 13584.
- The Chair was on his feet and members were directed to resume their seats, 13585.
- A member always respected the Chair and was permitted to continue his speech, 14546.
- There was too much disruption in the Chamber and all members were asked to be seated, 15290.
- If the member with the call did not return to his speech the Chair would ask him to resume his seat, 16517.
- A member was making a complete fool of himself, 18225.
- A member seeking to take a point of order did not have to be rude. The Chair heard him seeking the call and was in the process of acknowledging him. If the member acted with courtesy, that courtesy would be returned, 19074.
- Members should seek the call if they wish to contribute to the debate, 19949, 22151.
- A Minister was directed to continue his speech in reply, 22188.
- A member was reminded that she had a right of reply, 22261.

# Points of Order

- A Minister was debating, in a point of order, a matter he could deal with in reply, 12397.
- The Chair did not propose to allow a storm in a teacup to develop into a major issue. The member who had taken a point of order could seek the call at a later time if she so wished, 13032.
- The Chair had not kept a count of the calls to order because he thought a member who had sought the call to take a point of order had more sense. He would now keep count. In view of the member's display he declined to hear a point of order, 13583.
- The Chair called for order while he listened to a point of order, 15594.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Interjections, interruptions and disorder:** *Points of Order:* (continued)

The Chair hoped a point of order would relate to direct conversation across the Chamber ceasing and to all remarks being directed to the Chair, 21130.

#### Matters of public importance:

- The Minister who submitted a matter of public importance was not in the Chamber when the matter was called on and another Government member was given the call. A point of order was taken that as the standing orders relating to matters of public importance refer to "the member next speaking", that should be the member who took the point of order and the Minister who had submitted the matter had missed his opportunity to speak. The Chair had taken advice on the matter before the member who had taken the point of order had entered the Chamber. Bearing in mind the guidance the Chair had been given he sought the concurrence of the member with the procedure he had adopted. The Minister would be given the call, to be followed by the member, whose speaking time would be 10 minutes, 16004.
- As the member who had submitted a matter of public importance was not present, with the leave of the House the Chair called the member next listed to speak, 19841.

#### Member named: 7081.

# Offensive and objectionable remarks, imputations and aspersions:

- A member's comments were out of order ["... as is the fact that the Minister for Energy and Utilities bought a cheap unit on the quiet when he was approving planning developments"], 10200.
- The Chair would allow the member with the call to continue while he considered the implications of Standing Order 80, which states:

A member shall not use the name of the Sovereign or the Governor:

- (1) Disrespectfully.
- (2) To influence the House in its deliberations.

The Chair was unable to recall exactly what the member with the call had said. He would look at *Hansard* and give the matter further consideration, 15292.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

# **Offensive and objectionable remarks, imputations and aspersions:** (continued)

- An attack on another member must not be made under cover of a personal explanation, 17502.
- A member's remarks were not a personal attack; they were criticism, 22188.

# Expressions withdrawn or required to be withdrawn:

"[The Minister has] blood on his hands from the accident", 426, "What it means is that he is pissed, he should not be in the Chamber ...", 7080; " ... people being killed in Western Sydney every bloody night", 22151.

# **Personal explanations:**

An attack on another member must not be made under cover of a personal explanation, 17502.

A member's remarks were in order, 19075.

# Points of order:

Not in	nvolved:	309, 71	6, 1358,	2972,		
3351,	3596, 35	598, 403	9, 4406,	4486,		
6474,	6848, 72	16, 8504	4, 9038,	10224,		
10227,	10518,	10633,	10668,	10670,		
10786,	10874,	11049,	11451,	11970,		
12141,	12397,	12587,	12588,	12589,		
13030,	13032,	13577,	13578,	13579,		
13580,	13581,	13582,	13583,	13584,		
13585,	13879,	14151,	14546,	14653,		
14873,	15002,	15159,	15290,	15316,		
15802,	16158,	16304,	16308,	16516,		
16898,	16900,	17788,	17849,	17954,		
18086,	18087,	18092,	18224,	18225,		
18226,	18750,	18773,	19657,	20531,		
21130,	21562,	21564,	22148,	22151,		
22188, 22264, 23102.						

# Not upheld:

The member leading for the Government or the Opposition in debate on a bill is allowed more latitude than a member taking a point of order had suggested in relation to the reading of a speech, 5444.

The remarks of the member with the call were irrelevant to the question before the Chair, 6591, 6592.

A bill was irrelevant to the good conduct of Parliament, 8742.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

### Points of order:

# Not upheld: (continued)

A member had strayed from the substance of the question before the Chair, 9040.

A Minister's remarks were not relevant to the motion before the Chair, 13578.

Reading a newspaper had nothing to do with the bill before the House, 16517.

## Upheld:

Members should be referred to by their correct titles, 426, 8502, 20706.

The remarks of the member with the call were relevant to the question before the Chair, 3350.

Members should keep their remarks relevant to the question before the Chair, 5185, 9040, 10874, 14753, 15318, 17983, 22263.

When speaking in the five-minute debate relating to urgent motions, members must give reasons why their motions should receive priority and not debate the substance of those motions, 6176.

A member's offensive remarks should be withdrawn, 7081.

An attack on another member must not be made under cover of a personal explanation, 17502.

A member was debating the substance of his urgent motion, rather than establishing why it should have priority, 18087, 18224.

A member's remarks did not relate to the question before the Chair, 18091.

- A member's remarks did not constitute a point of order, 309, 4062, 5444, 9421, 18188, 18941, 22151, and the member, who had a right of reply, should know better, 18486.
- Short preambles are not permitted when taking a point of order, 309.
- The Chair had ruled on a point of order, 3350, 13578, 13582.
- A member who had taken a point of order was debating the question before the Chair and was out of order, 3598.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Points of order:**

**Upheld:** (continued)

- The Chair had ruled on an earlier point of order. If the member was merely interrupting the debate he would be called to order, 3599.
- The House would appreciate the correction made by a member when taking a point of order, 3602.
- A member having taken a point of order that the circulated notice of motion did not contain the words "without debate," the Chair pointed out that the preceding motion for the suspension of standing and sessional orders included those words, 3605.
- If a member wished to point out that a member of the Liberal Party was in the Chamber, she could do so, but that did not constitute a point of order, 3624.
- If a point of order related to relevance it would not be upheld, as the comments of the member with the call were relevant to the debate, 4406.
- If a point of order related to relevance the Chair would not hear it, as the member with the call had spoken only 10 words since the last point of order, 4406.
- The Chair has the gist of a point of order. The Leader of the Opposition was in order. However, if he quoted from further police radio transmissions, the Chair would be inclined to rule that he was dealing with the substance of the motion rather than the reasons it should be given priority, 6175.
- A member's remarks constituted a debating point rather than a point of order, 7216, 8504, 8902, 11048, 14225.
- If a point of order related to relevance, the Chair would rule against it, 8504. The remarks of the member with the call were relevant, 12589.
- The Chair would hear a member on a point of order, but he was using up his own speaking time, 8740.
- The Chair based his ruling that there was no point of order on *Decisions From the Chair*, 10668.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

# Points of order:

**Upheld:** (continued)

- The Chair asked a member who had taken a point of order to state which standing order had been breached, 10670.
- The Chair had heard enough on a point of order, which related to relevance. He would listen more carefully to the member with the call, although at the time the point of order was taken he was in order, 10873.
- A member would have been well advised to link what he was saying to the proposed code of conduct for local government councillors and to a section of the Act, rather than give the appearance of merely attempting to take advantage of his position. The Chair suggested that he link his remarks to the relevant sections of the bill before the House. To that extent he upheld a point of order, 11205.
- The Chair had heard sufficient on a point of order: the remarks of the member with the call were relevant, 12586.
- The Chair found it difficult to understand how a member could take a point of order within one second of walking into the Chamber. However, the Chair allowed him some latitude, 12588.
- The Chair would rule that there was no point of order. However, he would listen a little more carefully to the contribution of the member with the call, 12759.
- There was no point of order under Standing Order 82, 13578.
- A member had nine seconds to state his point of order, 13582.
- A member was taking a frivolous point of order, 13582.
- The Chair declined to hear a point of order, 13583.
- The Chair would take on board the two matters raised in a point of order, 13584.
- The Chair did not want to hear about charades and games; he wanted to hear the point of order, 13584.
- A member was debating the issue rather than taking a point of order, 14151.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Points of order:**

## **Upheld:** (continued)

- A member was experienced enough to know that he needed to stay within the leave of the motion, 14504.
- Because of an earlier ruling by the Speaker, the Chair was unable to rule the member with the call out of order, 14653.
- Because of the way the Premier had answered a question, the Chair was unable to uphold a point of order, 14653.
- Former Speaker Rozzoli had ruled that misleading the House is not a reason for taking a point of order, 14723.
- A member's comments were correct but they did not constitute a point of order, 15594.
- The Chair had heard enough on a point of order, 13584, 16516, 15597, and intended to rule on it, 16901.
- When taking a point of order, a member must tell the House which standing order had been breached, 16898.
- An allegation of misleading the House cannot be the basis of a point of order, 16898, 19949, 22260.
- There was no need for a member to contribute to the point of order; his remarks were relevant to the question before the Chair, 17783.
- A member was not speaking to a point of order, he was debating the substance of the motion before the Chair, 18088.
- Although a member have been correct, his remarks did not constitute a point of order, 18187.
- The Chair takes a dim view of spurious points of order, 18486.
- A member had offered a good explanation, but it was not a point of order. *Hansard* would show correctly what had happened, 19485.
- A claim that a member was insulting the parents of children at a school the subject of a motion could not be the subject of a point of order, 20531.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

### Points of order:

**Upheld:** (continued)

- A member was engaging in the substance of the debate while taking a point of order. If the member was taking the same point of order he had taken earlier, the Chair would rule against him, 22148.
- The Chair advised a member that if he sought to take the same point of order he had taken earlier, after the member with the call had spoken only one and a half sentences, the Chair had not heard enough to deliver a ruling, 20858.

# Private members' statements:

- A member who had made a private member's statement should listen to the response of the Parliamentary Secretary, 1769.
- A Parliamentary Secretary's reply to a private member's statement was entirely relevant, 10227.
- Matters raised in a private member's statement could not be corrected until the House next sat, 14668.
- Members must not debate one private member's statement against another. Private members' statements should not be used to attack other members. The Chair suggested that the member with the call could achieve his objective by refraining from doing either of those things and concentrating on the subject matter of his private member's statement, 14668.

#### **Procedure:**

- If a member wished to complete her second reading speech, she would need leave, as the time allocated under the sessional orders for second reading speeches had passed, 4036.
- The Chair had heard a number of speakers on a point of order as to whether a member had concluded her second reading speech. The basis on which the Parliamentary Secretary gave leave for her to resume the second reading speech, and the Chair agreed with the process, was information provided by the member seeking to continue the second reading speech. However, *Hansard* showed that on the day she made her second reading speech she used the words "I commend the bill to the House", and the debate was adjourned on the motion of a member of the Government, 4036.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Procedure:** (continued)

A claim by the member seeking to resume her second reading speech that she sought leave to have the matter brought on again later was not on the record. The Chair was in a bind because the forms of the House dictate that the time for second reading speeches had passed. The Chair suggested that it may be preferable to adjourn the debate and resolve the matter in such a way that the member could continue her second reading speech, 4036.

The Chair does not reject a motion that a member be heard. The motion had been moved by the manager of Opposition business, 4037.

There was no point in taking the matter further. It appeared that there had been some misunderstanding about the procedures of the House. Although there has been a misunderstanding, the Chair detected a good deal of goodwill around the Chamber. As the House was about to move to General Business Orders of the Day (General Orders) the Chair suggested that the Leader of the House, the member who ought to resume her second reading speech, and the manager of Opposition business attempt to agree on a way in which the matter could proceed, 4037.

- The House was dealing with a motion that appears at page 674 of Notices of Motions and Orders of the Day. General Business Orders of the Day (General Orders) had been called on at 11.30 a.m., in accordance with the sessional orders, and the following appears in Notices of Motions and Orders of the Day: "Health Funding; resumption of the postponed reply, on the motion of Mr Torbay ... ". Before the Chair had given the call to the member who had moved the motion to resume his reply, the Leader of the House sought the call to move that standing and sessional orders be suspended to allow him to move an amendment. The motion to suspend standing and sessional orders was carried. The member who had moved the motion had a minute of speaking time remaining in his postponed reply. However, his speaking time had expired, 4038.
- The Chair was aware of a ruling by Speaker Rozzoli that a disagreement with another member's point of view is not a basis for a claim of misleading the House, 4486.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Procedure:** (continued)

- A member was almost flouting previous rulings of the Chair in relation to the permissible length of quotations. The Legislative Assembly has different standing orders to those of the Legislative Council. Brief quotations only are permitted from reports and correspondence; the House did not want to hear a 10-minute address, 10046.
- Precedent requires that quotations be brief, 16517, and that they be relevant to the subject of the debate. A member was asked to refrain from reading a lengthy quotation from a Sydney newspaper onto the record, 13876.
- Although a point of order claiming that the remarks of the member with the call were not relevant to the bill before the House was technically correct, the Chair always allowed members a certain amount of time to make introductory remarks, 15289.
- The Chair is responsible for the conduct of the business of the House, not the member who had taken a point of order in relation to the time, 16308, or the member with the call, 16516.
- Misleading the House does not constitute a breach of the standing orders, 16898.
- The matter raised by a member is a point of order did not prevent the House from proceeding to vote on the second reading of a bill, given the availability on the web site of the maps referred to, 16901.
- The Chair noted a decision by the former Speaker that when time is limited, members may refer to copious notes, 18090.
- The Chair would consult the standing orders as to which member was a real representative of the working class, 18093.
- The Chair was sure a member was aware of prior rulings in relation to the use of copious notes, 22960.

### **Relevance:**

- Members should keep their remarks relevant to the question before the Chair, 204, 205, 541, 1172, 4406, 10043, 10807, 10980, 11203, 12398, 14755, 15293, 20858.
- The member with the call was in order, but the Chair had taken careful note of the wording of the motion, 2293.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

**Relevance:** (continued)

- Members may make passing reference to matters outside the question before the Chair, provided they speak in general to it, 2972.
- A member's were relevant to the question before the Chair, 3350, 3598, 3599, 6592, 15156.
- A member was invited to make passing reference to the legislation under consideration, 5184.
- It is the duty of any member speaking to a bill to remain within the leave of the bill. The Chair had no knowledge of the way in which a member was addressing the question before the Chair because he had not been in the Chamber at that time. The member was asked to ensure that he directed his remarks to the leave of the bill, 8740.
- A member would be introducing material irrelevant to the debate if he quoted from a newspaper. He was advised to read Standing 85, 10051.
- The Chair allowed a member who had been the subject of a point of order in relation to relevance to continue; the Chair would resume listening carefully, 11202.
- The Chair suspected the member with the call was speaking to the wrong legislation. She was asked to indicate how her current remarks related to the bill with which the House was dealing, 11593.
- If a point of order related to relevance, the Chair did not want to hear it. A member's remarks were entirely relevant. He had used the words "credit unions", the subject of the matter of public importance, several times, 11970.
- When speaking in reply, a Minister was in order in criticising the contribution of the shadow Minister, 12399.
- The Chair had heard sufficient on a point of order: a member's remarks were relevant, 12586.
- A member's remarks were outside the leave of the motion before the House. The Chair reminded her that the House had made a decision about which urgent motion would be debated and asked her to address her comments to that motion, 12588.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

### **Relevance:** (continued)

- If a point of order related to relevance, the Chair would rule against it. The remarks of the member with the call were relevant, 12589.
- The remarks of the Leader of the Opposition were relevant. However, bearing in mind that his amendment referred to "incompetence and mismanagement of his portfolio", if he intended to spend the remainder of his speaking time talking about only one issue, the Chair suggested that he broaden his remarks, 13580.
- A member was experienced enough to know that he needed to stay within the leave of the motion, 14504.
- A member was not arguing with the ruling of the Chair. He had moved to another matter, and the Chair was interested in determining its relevance to the bill being debated. He may still have been outside the leave of the bill but the Chair would give him some time to develop his argument, 14753.
- Although a point of order claiming that the remarks of the member with the call were not relevant to the bill before the House was technically correct, the Chair always allowed members a certain amount of time to make introductory remarks, 15289.
- The Chair would allow the member with the call to speak for one more minute before directing him to return to the leave of the bill, 15290.
- In the five minutes during which the member with the call had been speaking, he had not discussed the bill before the House. The Chair directed him to confine his remarks, as required by the standing orders, to the leave of the bill for the remainder of his contribution, 15290.
- The Chair would allow a member of the Opposition who had been speaking for less than a minute to make some introductory remarks. He would allow Government speakers to do the same, 15293.
- Members may make passing reference to topics other than the subject of the debate, but "passing reference" is the key phrase, 15591.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Relevance:** (continued)

- A member's remarks were totally relevant to the question before the Chair, 15802.
- In a debate about the Federal Government's industrial relations policy, a member was entitled to make reference to a political matter but should not dwell upon it, 16156
- A member was directed to address the amendment he had moved to the motion before the Chair, 16156.
- A member was allowed to draw matters such as planning into his contribution if they were relevant to rate pegging, 21562.
- The Chair was sure a member was making only passing reference to a matter not relevant to the question before the Chair, 22262.

# **Tabling of documents:**

- Only Ministers can table papers in the House. Members may lay documents on the table for the information of other members, 2161.
- The standing orders make no provision for private members to table information. However, if the member with the called wished to leave the document on the table, other members may avail themselves of the opportunity to read it, 4489.

# AS CHAIRMAN OF COMMITTEES:

### Amendments:

- Committee debates are restricted to dealing with amendments. A member was asked to outline which amendments he was dealing with, 17532. The Chair had examined the relevant amendments and was at a loss to understand how previous correspondence was relevant. The Chair sought an explanation from the member with the call, 17533.
- Debate in Committee is restricted. Although a member's comments may have been perfectly proper in a second reading debate, they were not proper in Committee. The member was asked to direct his attention to the amendment and not to other matters, 13280, 13282.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

# Amendments: (continued)

As amendments were to be moved to Legislative Council amendments the Chair would put separate questions in relation to each of the Legislative Council amendments, 21736.

#### Chair:

A member should not challenge the ruling of the Chair. If he had nothing further to say, he should resume his seat, 13280.

### Interjections, interruptions and disorder:

#### Interjections

Members were asked to cease interjecting and extend a degree of courtesy to the member with the call, 21742.

## Order and Decorum

- The Committee was dealing with an amendment to workers compensation legislation. Attempting to read a statutory declaration into *Hansard* was out of order. The member was asked to return to the subject of the amendment, 5138.
- A member was directed to cease reading from a statutory declaration and resume his seat. The attention of the member who was next given the call was directed to the subject matter of the amendment and reminded that strict rules apply in Committee, 5139.
- A member was using the same tactic as the two previous speakers. Members who speak in Committee should debate only the amendment under consideration by the Committee. If the member continued to read the statutory declaration he would be directed to resume his seat, 5139.
- If a member repeated his remarks, in relation to which a point of order had been upheld, he would be ruled out of order, 6151.
- A member was ruled out of order for drawing attention to those members who were in the Chamber and those who were not. The sole ambit of the debate was upper House amendments, 6151.
- The Chair was having trouble hearing the member with the call, who was only six feet away. Members should be quiet or leave the Chamber, 8516, 8518.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

#### **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

- Members should direct their remarks through the Chair, 13279.
- Members were directed to cease conversing, 16501, 16504.
- There was too much audible conversation on both sides of the Chamber; the Chair asked the Whips to speak to members, 16501.
- If a member continued to argue with the Chair and continued to make a second reading speech when the Committee was dealing with Legislative Council amendments, the Chair would rule him out of order and direct him to resume his seat, 21740, 21741.

# Offensive and objectionable remarks, imputations and aspersions:

There had not been an attack on a Member of Parliament; there had been criticism. The member who had taken a point of order could seek the call if he wished to correct the record, 6151.

## Points of order:

Not involved: 13280.

## Not upheld:

A member was addressing the amendments before the Committee, 17535.

#### **Upheld:**

Members should confine their remarks to the amendment before the Committee, 4963, 5139.

A member's actions were not relevant to the debate, 5138.

A member was out of order in criticising other members of the House, in the same way as another had also been out of order. The member with the call was asked to return to the leave of the bill, 6151.

The Chairman of Committees shall maintain order in Committee of the Whole, and, unless otherwise provided, a reference to the Speaker shall also be construed as a reference to the Chairman, 8519.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

### Points of order:

**Upheld:** (continued)

- If a member could not identify which standing order had been breached, the Chair would rule that there was no point of order, 10153.
- If a member intended to take that same point of order, that the remarks of the member with the call were not relevant to the amendment before the Committee, the Chair would not uphold it. However, the Chair would uphold the next point of order if the member with the call did not ensure that is remarks were relevant to the amendment, 10217.
- A member's remarks did not constitute a point of order, 13280.
- The Chair had heard sufficient on a point of order, 13282, 17535.
- A member was directed to resume his seat while a point of order was taken, 17532.

#### **Procedure:**

- Giving the call to the Parliamentary Secretary would not prevent the Chair from giving the call next to a member of the Opposition, 4964.
- The standing orders allow the Chair to interrupt debate, 17533.

### **Relevance:**

- A member was asked to confine his remarks to the amendment before the Committee, comply with the standing orders and accord the Committee the courtesy that was being afforded to him, 4963.
- The Committee was dealing with an amendment to workers compensation legislation. Attempting to read a statutory declaration into *Hansard* was out of order. The member was asked to return to the subject of the amendment, 5138.
- A member was directed to cease reading from a statutory declaration and resume his seat. The attention of the member who was next given the call was directed to the subject matter of the amendment and reminded that strict rules apply in Committee, 5139.

# THE CHAIRMAN OF COMMITTEES (MR JOHN CHARLES MILLS): (continued)

### **Relevance:** (continued)

- Members should address their remarks to the amendment before the Committee, 5756, 10217, 21743, 21745, and not make second reading speeches, 21458, 21740.
- The remarks of the member with the call were more appropriate to a second reading debate than a debate in Committee on a Legislative Council amendment. The Chair suggested the member obtain a copy of the amendment so that he was able to direct his comments to the correct form of words, 10217.
- If a member intended to take that same point of order, that the remarks of the member with the call were not relevant to the amendment before the Committee, the Chair would not uphold it. However, the Chair would uphold the next point of order if the member with the call did not ensure that is remarks were relevant to the amendment. The member was bound by the standing orders and the House was not engaged in a second reading debate, 10217.
- The member with the call had spent a minute and a half canvassing the ruling of the Chair. If he wanted to address the Legislative Council amendment, he should do so. If he did not, the Chair would direct him to resume his seat, 10217.

### ACTING-SPEAKERS AND TEMPORARY CHAIRMEN OF COMMITTEES

### **Ms MARIE THERESE ANDREWS:**

## AS ACTING-SPEAKER:

### **Consideration of Urgent Motions:**

- The Chair drew the attention of the member with the call to the debate in which she was speaking, 21716.
- When speaking in the five-minute debate relating to urgent motions, members must give reasons why their motions should receive priority, 21716.

#### **Debate:**

The Chair noted a clarification that Main Road 92 was a State road with Federal funding, 17145.

#### Ms MARIE THERESE ANDREWS: (continued)

#### **Debate:** (continued)

- A member would have an opportunity to respond to remarks made during the debate when he spoke in reply, 20974.
- Members are allowed a degree of latitude when speaking to general business notices of motions. A member reading a newspaper advertisement was permitted to continue, 21849.

## Interjections, interruptions and disorder:

## **Interruptions**

There was too much noise on the Government benches, 23095, in the Chamber, and Hansard was having trouble hearing the member with the call, 23097.

#### Order and Decorum

- A member was called upon to allow the member with the call to resume his contribution, 2149.
- Members should listen to the contributions of others in silence, 3451, 6468, 15326.
- The Chair was sure a member would be more careful in future in referring to members by their correct titles, 6318.
- A member was reminded that only one member should be at the table at any one time, 8476.
- During debate on a censure motion members were asked to extend to the Minister the same courtesy that had been extended to the Leader of the Opposition and allow him to respond to the motion in silence, 9430.
- There was too much noise in the Chamber. If members wanted to talk amongst themselves, they should do so outside the Chamber, 9431, 18600.
- A member was trying the patience of the Chair, 10532.
- A member had apologised for his remarks and was permitted to continue his contribution, 10871.
- Hansard was having difficulty hearing the member with the call. He was asked to address his remarks through the Chair and not to backbench members, 11031.
- A member was permitted to continue his contribution, 14531.

### Ms MARIE THERESE ANDREWS: (continued)

#### Interjections, interruptions and disorder:

*Order and Decorum:* (*continued*) The member speaking was the only member with the call, 14533.

- Members should direct their comments through the Chair, 14863, 21683, and not to members opposite, 23098.
- Members who did not intend to participate in the debate were asked to leave the Chamber quietly and quickly after a division. The Chair was pleased that a member who had asked for the House to be called to order wanted to hear what a Minister had to say. Members were again asked to leave the Chamber quietly and quickly, which would be a courtesy to Hansard. Members were asked for a third time to refrain from speaking unless they intended to participate in the debate, 17143.
- Members are entitled to be heard in silence, 17144, 22266, 22269, 22270.
- The Chair asked two ladies seated behind the Speaker's chair to restrain themselves, if that was possible, 20899.
- Members who wish to contribute to debate may do so at the appropriate time, 21847, 21848.
- There was too much noise in the Chamber, 22265, 22269, 22270, on the Opposition benches, 22931.
- Members will have an opportunity to take part in the debate at the appropriate time, 22267.

#### **Points of Order**

- Members were asked to remain silent so the Chair could hear a point of order, 17868.
- The Chair rules on points of order and the remarks of a member constituted a point of order, 20976.
- A member was directed to take a point of order or resume his seat, 22790.

# Matters of public importance:

As the matter of public importance related to the role of Independents in New South Wales, it was appropriate that Independents be given the call, 2148.

#### Members' dress:

The Chair cannot tell members how to dress. A member's dress was not offensive, 19526.

# Ms MARIE THERESE ANDREWS: (continued)

# Offensive and objectionable remarks, imputations and aspersions:

- The Chair had not heard a comment in relation to which a request for withdrawal was made, 9864.
- The standing orders did not require remarks to be withdrawn. The two people seated behind the Speaker's chair were present because of the courtesy of the Speaker. They were asked to refrain from making any remarks, 20899.
- A member was asked not to cast aspersions on members opposite, 20976.
- Expressions withdrawn or required to be withdrawn: "Quiet darling, you might learn something", 7463, "Come on, I sat there and listened to crap from you, in silence!", 7464, "I note that the Leader of the Opposition has just had a son, which is why it is more disgraceful," 7989; "How long have you been here, mate?", 19991.

# Points of order:

Not involved: 529, 2148, 2149, 2150, 3450, 4043, 4694, 5330, 5816, 6318, 6702, 7178, 7305, 7465, 7990, 7991, 9430, 10010, 10014, 10171, 10536, 10903, 12900, 13076, 13080, 13417, 16159, 16163, 17747, 18199, 18491, 18527, 19368, 19406, 19527, 20974, 21847, 22421, 22533.

### Not upheld:

An amendment did not relate to the motion and was out of order, 18603.

#### Upheld:

The remarks of the member with the call were not relevant to the motion, 185, 7305, 8474, 8476. However, her speaking time had expired, 8475.

A comment by the member with the call about the mother of a Minister was not appropriate, 1958, 1959.

A member had been given the call and the debate should proceed, 2148.

Standing Order 121(9) states that there shall be no dissent from the ruling of the Speaker in relation to the operation of this standing order, which relates to the procedure for matters of public importance, 2149.

### Ms MARIE THERESE ANDREWS: (continued)

#### **Points of order:**

**Upheld:** (continued)

A member, whom it had been claimed probably has never been to Bankstown, sought to correct the record, 186.

Those sitting behind the Chair were not all representative of Treasury, 314.

It was not in order for the member with the call to claim that because the Parliamentary Secretary did not have children she did not understand or support the public school system or the funding formula, 7460.

Private member's statements should relate to matters within the members' respective electorates, 7609.

Members should confine their remarks to the question before the Chair, 7903, 10870, 10905, 14864, 16956, rather than impute motives to those on the other side of the House, 7989.

The Leader of the Opposition was playing politics in a debate on a proposed Royal Commission into Health Complaints, 7992.

The Leader of the Opposition was misleading the House, 8225.

Members should be referred to by their correct titles, 8478.

The use of props is against the rules of the House, 8584.

Members are entitled to be heard in silence, 9430.

A member was misleading the House, 10674.

A member was asked not to use such strong terms as "forced to speak ... ", 12254.

It was claimed in a point of order that a member, in a private member's statement, must address a matter relevant to his or her electorate. The Chair did not uphold the point of order, as a number of constituents of the member with the call had been affected by the recent death of Yasser Arafat, 12899.

#### Ms MARIE THERESE ANDREWS: (continued)

#### Points of order:

**Upheld:** (continued)

It was claimed in a point of order that the Leader of The Nationals had made pejorative comments about the Minister for Infrastructure and Planning, and Minister for Natural Resources. The national water initiative had been signed off jointly by the Commonwealth and the States. At the last Federal election John Howard announced a \$2 billion package unilaterally, which indicated that the Federal Government had responsibility for water. The point of order was upheld, 14863.

It was claimed in a point of order that the note from which the Leader of The Nationals was reading was clearly provided by the Commonwealth Treasury in Canberra. That did no service to his constituents and he was a Treasury lickspittle. The point of order was upheld, 14863.

Members should speak to the question before the Chair and not make personal remarks about other members, 18205.

Only the Premier could speak in reply to a motion, 20375.

The Chair had not ruled on a point of order, 6700.

- A member's remarks did not constitute a point of order, 6872, 7990, 14892, 22420, and the member knew that, 7991, 18600.
- A member taking a point of order had made his point, 6872.
- A member taking a point of order had no right to tell the member with the call to sit down. However, only one member had the call, 7460.
- The Chair thanked a member for his contribution to a point of order and allowed the member with the call to proceed, 17754, 17868.
- Points of order should be taken in accordance with the standing orders, 18491.
- The Chair rules on points of order and the remarks of a member constituted a point of order, 20976.
- The Chair had not heard the comments of a member who had taken a point of order. However, she had already explained what she was trying to correct, 20978.

#### Ms MARIE THERESE ANDREWS: (continued)

#### **Points of order:**

- **Upheld:** (*continued*) A member was asked to enunciate her point of order, 21716.
- The Chair would not accept an allegation of lying as a point of order, 22420.

# **Private members' statements:**

- Private member's statements should relate to matters within the members' respective electorates, 11863. The member with the call was asked to direct his comments to his electorate, 7608, 7609, 22678.
- It was claimed in a point of order that a member, in a private member's statement must address a matter relevant to his or her electorate. The Chair did not uphold the point of order, as a number of constituents of the member with the call had been affected by the recent death of Yasser Arafat, and he was permitted to continue, 12899.

## **Privilege:**

A matter of privilege should not have been raised as a point of order. Matters of privilege can be raised only when there is no other business before the House, and the House was discussing a matter of public importance, 2149.

# **Procedure:**

- The call is given to the member who first seeks it, 2149.
- The Chair did not recall giving the call to a member who had spoken, 2150.
- A Parliamentary Secretary was present in the Chamber and the member with the call was permitted to proceed, 3954.
- The Chair did not need the support of a member of the Opposition, 10010.
- The number of speakers to a general business notice of motion provided for in the standing orders had contributed to the debate. A member who had been given the call was out of order, 12263.

The Chair will decide who is to be seated, 13076.

The Chair understood that the member with the carriage of business that had been called on was on her way to the House. A member who had taken a point of order

## Ms MARIE THERESE ANDREWS: (continued)

#### Points of order:

Upheld: (continued)

was asked to be a little patient, the Chair having been rather generous in allowing additional speakers from the Opposition side of the House on private members' days, 17861, 17862.

- The Chair could not accept a closure motion during debate on an urgent motion, 19528.
- Only the Premier could speak in reply to a motion he had moved, 20375.

#### **Relevance:**

- Members should confine their remarks to the question before the Chair, 1959, 3450, 4692, 5188, 6201, 6468, 7304, 7903, 10012, 10903, 10904, 12634, 14471, 15562, 19528, 19990, 20372, 20978, 21683, 22153, 22272, 22532, 22930, 23091, 23092.
- The Chair reminded the member with the call that he was taking part in a second reading debate, 14531.
- A member's remarks were relevant to the debate and he was permitted to continue, 18527.

### Mr PAUL GERARD LYNCH:

AS ACTING-SPEAKER:

#### Anticipation of debate:

A ruling of Speaker Rozzoli on 16 November 1988 made it clear that a point of order related to anticipating debate on a bill rather than on a notice of motion. Given that the member who had taken the point of order had made a private member's statement based on a matter he had raised earlier in question time, it was a little much to take a point of order relating to anticipation of debate. The Chair believed he had allowed considerable latitude to the member in his private member's statement. He would consider reviewing that attitude if the circumstances were ever repeated, 12161.

### Chair:

- The Chair ruled against a point of order because the comments complained of were clearly made against him in his capacity as a member and not as the Chair, 8736.
- A member had breached the standing orders by reflecting on the Chair. He was asked to return to the question before the Chair, 8736, 8737.

#### Mr PAUL GERARD LYNCH: (continued)

#### Chair: (continued)

- The Chair was able to rule impartially on points of order relating to a bill he had put before the House, and had done so in the debate, 8737.
- The Chair was reluctant to allow adverse reflections on the Chair and himself to continue. He suggested to the member who had made them that they were an absolute disgrace, 8737.
- The Chair was acutely aware of a member's presentation, 13117.
- A member knew better than to involve the Chair in partisan debate. He would be called to order if he continued, 21254.
- A member had twice tried to involve the Chair in contemporary debate. That was in breach of the standing orders, and if the member continued to do so he would be directed to resume his seat, 22568.

## **Consideration of Urgent Motions:**

- The Chair was sure the member with the call was aware of the standing orders in relation the five-minute debate relating to urgent motions, 6348.
- The member with the call had almost crossed the line in relation to debating the substance of the motion and putting forward reasons why his motion should have priority, 6348.

### **Debate:**

- There is a long tradition that members who lead for the Opposition in second reading debates may raise a broad range of topics. If other speakers had made the general points made by the member with the call, they would not be relevant. However, as the member was leading for the Opposition the Chair would not rule him out of order, 9468.
- The Chair noted the irony of the presence of an organisation devoted to historical fact, the Australian Lebanese Historical Society, in the context of a speech on the Shops and Industries Amendment (Special Shop Closures) Bill by a member of the Opposition, 19401.
- The Chair drew the attention of the member with the call to the standing order relating to tedious repetition and suggested he conclude his speech, 22562.

#### Mr PAUL GERARD LYNCH: (continued)

#### **Documents:**

The Chair was sure a member was referring to a document only in passing, 21425.

#### Interjections, interruptions and disorder:

#### Interjections

- A member who interjected had had an opportunity to contribute to the debate, 887.
- A member was directed to stop provoking the member with the call, 3939, 3941.
- A Minister who was trying the patience of the Chair had been a member of the House long enough to know how to conduct himself, 3943.
- It is inappropriate for members of the Opposition to interject on a speaker from their side of the House, 4695.
- The Chair suggested that a member not be diverted by an interjection from this contribution, 6451.
- A member was responding to an interjection. The Chair had called for order a number of times. Given the level of interjection the Chair was not surprised that the member had been distracted. If members of the Opposition were not interjecting, he may not have dealt with the interjection in the way he had, 8509.
- The debate would be quicker and less painful for everyone if interjections ceased, 16496.
- A member was asked to return to the subject matter of the debate rather than respond to interjections, 17344.
- If Government members were not interjecting so much the Leader of the Opposition would not be tempted to respond to them individually, 21427.

#### **Interruptions**

The Chair suggested members not interrupt the member with the call. That would encourage him and members would have to listen to his contribution longer than may otherwise have been the case, 10698.

#### Order and Decorum

A member was testing the patience of the Chair, 2840.

### Mr PAUL GERARD LYNCH: (continued)

#### Interjections, interruptions and disorder:

*Order and Decorum: (continued)* Members should not discuss the question before the Chair across the Chamber, 2841.

- Members should direct their remarks through the Chair, 3944, 7307, 13117, and not to other members, 21874.
- Members who wish to contribute to the debate should seek the call, 3945.
- If the member with the call did not wish to exercise it, the Chair would direct him to resume his seat, 5375.
- The Chair was sure the member with the call would acknowledge the tradition that members should be referred to by their correct titles, 5788.
- A Minister was asked to restrain himself, 6726.
- If members allowed the member with the call to be heard in silence he would complete his reply more rapidly, 7139.
- If a Minister did not behave himself his Irish republican colleagues would deal with him, 7440.
- Members had been given a degree of latitude during the debate, 7499.
- Members have an opportunity to contribute to debate at the appropriate time, 7573, 10019.
- If members wanted to have private discussions they should do so outside the Chamber. A number of members were to blame. The Chair suggested that the member with the call continue and restrict his comments to the bill being debated, 9839.
- A member was directed to remain silent or he would be removed from the Chamber. The Chair asked the Clerk to fetch the Deputy Serjeant at Arms, 10230.
- If members ceased their banter across the Chamber and stopped provoking each other, the debate could proceed, 11181.
- Members were directed to stop making animal imitations, 11362, to stop making comments across the table, 13198.

# Mr PAUL GERARD LYNCH: (continued)

## Interjections, interruptions and disorder:

#### Order and Decorum: (continued)

- The Chair suggested that the member with the call utilise it, 11449.
- If a member had ensured that guests he invited to the public gallery were aware of the standing orders, what had happened should not occur again, 9098.
- The Chair declined to comment on the fact that member who had been called to order had tried to verbal a member on the other side of the House, 13199.
- Members were directed to come to order to that the member with the call could be heard, 14632.
- The Chair noted that it was after dinner, but members would still come to order, 16495.
- If a member continued with a line of fantasy he would be called to order for a second time, 19397.
- A member was directed to return to the leave of the bill or be removed from the House, 19400.
- Members should not cavil with rulings from the Chair, 19401.
- The Chair was sure a member was making only passing reference to another member. If he continued the Chair may have had to take action, 20998.
- Members were directed to leave the Chamber quickly and quietly after a division. The Chair had been informed that there was a problem with the microphones and Hansard were having trouble hearing the member with the call, 19682.
- It is disorderly for members to speak with people in the gallery, 21251.
- The Chair recommended that members maintain a greater degree of decorum than they had to date, 21426.
- Members were directed to cease breaching Standing Order 59, 22570, to maintain a degree of decorum, 22813.

### Mr PAUL GERARD LYNCH: (continued)

# **Interjections, interruptions and disorder:** *Order and Decorum:* (continued)

Despite the invitation extended by the Leader of the House to the member with the call to ask questions, the Chair suggested that that all members, apart from the member with the call, resume their seats. If the member with the call kept asking questions of the Leader of the House, he would answer them, 22816.

# Offensive and objectionable remarks, imputations and aspersions:

- If the member with the call wished to continue his remarks, he should avail himself of the standing orders that provide the necessary forms and procedures relating to substantive motions. The Chair would not allow him to continue in his present vein, 1406.
- Members should not cast aspersions on the Chair, 2842, 11588, or involve the Chair in debate, 5377, and if they do so they will be called to order, 20327.
- The Chair ruled against a point of order because the comments complained of were clearly made against him in his capacity as a member and not as the Chair, 8736.
- A member had breached the standing orders by reflecting on the Chair. He was asked to return to the question before the Chair, 8736, 8737.
- The Chair was reluctant to allow adverse reflections on the Chair and himself to continue. He suggested to the member who had made them that they were an absolute disgrace, 8737.
- The standing orders prohibit the casting of aspersions on judges, 18052.
- A member was called to order for casting aspersions on the Chair, 19400.
- A member was cautioned about his language, 21249.

#### **Personal explanations:**

Members may make personal explanations at the appropriate time, 1404.

#### Mr PAUL GERARD LYNCH: (continued)

### Points of order:

Not involved: 1397, 2841, 2842, 3067, 4531, 4961, 5788, 6350, 6727, 6877, 7145, 7306, 7307, 7705, 7985, 8509, 8592, 8766, 8869, 8917, 11560, 17344, 17716, 17719, 18107, 21429, 21874, 22814, 21000, 21001.

#### Not upheld:

The Chair ruled against a point of order because the comments complained of were clearly made against him in his capacity as a member and not as the Chair, 8736.

A ruling of Speaker Rozzoli on 16 November 1988 related to anticipating debate on a bill, not a notice of motion, 12160.

The Chair ruled against a point of order on the basis that no standing order prevents a member from being a first-class goose, 22562.

# Upheld:

Members should confine their remarks to the question before the Chair, 6725, 21426, 21427.

A private member's statement should relate to the member's electorate or activities within it, 8916.

- Although a point of order was probably well founded, the Chair suggested that a member's remarks were passing references only, 1405.
- A point of order, as well as being totally unmeritorious, contravened a ruling of the Chair, 1406.
- A member's remarks constituted a point of debate, not a point of order, 4432, 4662, 5000, 5784, 8591, 11560, 11726.
- A point of order had some validity, 5821. The member with the call could not legitimately refer to allegations against another member of the House in the present debate, 5163.
- There was no substance in a point of order. If the point of order had been taken on the basis that a member should not involve the Chair in contemporary debate, it would have been upheld, 5377.

### Mr PAUL GERARD LYNCH: (continued)

#### Points of order:

- Upheld: (continued)
- Although a member who had taken a point of order had not been a member of the Chamber for long, she should have known that her remarks did not constitute a point of order, 6350.
- A member was invited to state her point of order, 6725.
- The Chair suggested that a member who had taken a point of order deliver his speech at the appropriate time rather then when he was taking a point of order, 6726.
- A member's remarks did not constitute a point of order, 7146, 7573, 8506, 9432, 22814.
- A point of order was the most unmeritorious the Chair had heard in a long time, 7494.
- As a member's speaking time had expired, any point of order was academic, 7574.
- A point of order having been taken the Chair examined a copy of the motion being debated and allowed the member with the call to continue, 7577.
- The Chair had heard enough on a point of order, 8506.
- The Chair ruled against a point of order because the comments complained of were clearly made against him in his capacity as a member and not as the Chair, 8736.
- The Chair was able to rule impartially on points of order relating to a bill he had put before the House, and had done so in the debate, 8737.
- Given that a member's speaking time had expired, a point of order was irrelevant. However, the Chair would have ruled against the point of order because the remarks of the member with the call had not transgressed earlier rulings. Earlier, an inappropriate point of order had been taken by a member who ought to have known better. Recently, a member had made a private member's statement about Israel, which had even less to do with his electorate than anything the member with the call had said, but the content of his speech had been valid because the matter had been raised by constituents, 8917.

## Mr PAUL GERARD LYNCH: (continued)

#### Points of order:

- **Upheld:** (continued)
- A ruling of Speaker Rozzoli on 16 November 1988 made it clear that a point of order related to anticipating debate on a bill rather than on a notice of motion. Given that the member who had taken the point of order had made a private member's statement based on a matter he had raised earlier in question time, it was a little much to take a point of order relating to anticipation of debate. The Chair believed he had allowed considerable latitude to the member in his private member's statement. He would consider reviewing that attitude if the circumstances were ever repeated, 12161.
- The Chair had heard sufficient on a point of order. The member with the call was merely referring to copious notes, 13114.
- Members should not make speeches when taking points of order, 17717.
- A member's point of order was spurious, 17717, 17719.
- If a person behind the Speaker's Chair wished to interject she would be removed from the Chamber. The Chair had directed a member to resume his seat before hearing the substance of his point of order because he had heard him get instructions from the person behind the Speaker's Chair, who had interjected on the Chair. For that reason he knew precisely what the point of order would be, 18107.
- A member had made a good debating point. However, it was not a point of order, 21001.
- Bad taste is not a valid basis for a point of order, 22812.
- Although a point of order was probably technically correct, regrettably every other speaker in the debate had been allowed latitude to stray well beyond the leave of the bill. Whatever the personal preference of the Chair might be, it seemed unfair to constrain the member with the call in a way that other speakers had not been constrained, 22812, and the member with the call was asked to deal with a number of issues rather than only one, 22815.

# Mr PAUL GERARD LYNCH: (continued)

## **Private members' statements:**

- Members should not deal with two subjects in one private member's statement. As no member had taken a point of order, the Chair would take the matter no further, 4113, 6731.
- If a member disagreed with the Minster's response to his private member's statement, he could make another private member's statement on the next occasion, which he inevitably would, 4531.
- To be called to order during private members' statements was something of a record. The House was dealing with private members' statements, not questions without notice, 4531.
- The Chair directed the attention of the House to the ruling of Speaker Rozzoli in 1990 that members may refer, when making private members' statements, to matters outside their electorates if the matters were brought to their attention by constituents. If the member who had taken a point of order had been listening he would have heard the member with the call preface his comments by saying precisely that, 8917.
- Given that the speaking time of the member with the call had expired, a point of order was irrelevant. However, the Chair would have ruled against the point of order because the remarks of the member with the call had not transgressed earlier rulings. Earlier an inappropriate point of order had been taken by a member who ought to have known better. Recently, a member had made a private member's statement about Israel, which had even less to do with his electorate than anything the member with the call had said, but the content of his speech had been valid because the matter had been raised by constituents, 8917.
- Granted that no point of order on the private member's statement of the Deputy Leader of the Opposition had been taken—nor could a valid point of order been taken the Chair asked the Deputy Leader of the Opposition to explain the standing orders to his parliamentary leader. The Deputy Leader of the Opposition clearly understood the standing orders, but his leader did not, 13090.

## Mr PAUL GERARD LYNCH: (continued)

#### **Private members' statements:**

- Members should raise only one issue in a private member's statement. The Chair was not in the habit of making rulings that are jokes. The Chair had ruled on the matter and suggested that members adhere to it, 19876.
- The Chair suggested that the next time a member made a private member's statement, it should be a proper private member's statement, 19880.
- Members are entitled to raise matters relating to their electorates or matters that have been raised with them by their constituents. However, in 1998 Speaker Rozzoli ruled that members may not debate one private member's statement against another on successive days. He also indicated that a member may not raise a matter in a private members' statement that is essentially the subject of a bill before the House. It was clear from those rulings that a member could not make a private member's statement in response to a matter that had been raised earlier in the day. However, if she related her private member's statement to matters concerning her electorate, and did not refer to other matters, the Chair would not have any difficulty with that, 22301.

## **Procedure:**

- It was inappropriate for a member to have a conversation with the Chair, who reminded the member that an amendment had been moved to replace the word "now" in the question, That this bill be now read a third time, 4968.
- Nothing in the standing orders requires a member of the Government to take a point of order from the Government side of the House. It is merely tradition that members of the Government or the Opposition take points of order from their respective sides of the House, 5376.
- According the Chair's watch it was 30 seconds before 4.15 p.m. A point of order taken in relation to the commencement of private members' statements had probably used that time. Pursuant to sessional orders business was interrupted for the taking of private members' statements and the motion before the Chair lapsed, 6351.

### Mr PAUL GERARD LYNCH: (continued)

#### **Procedure:** (continued)

The Chair had been distracted by the cacophony from the Opposition benches. Pursuant to sessional orders, debate was interrupted, 7143.

The Speaker presides over censure motions, 8737.

- Sessional orders direct the Chair to adjourn the House at the conclusion of private members' statements, unless a member moves under Standing Order 405 to suspend standing and sessional orders. That would require the leave of the House, and leave was unlikely to be granted, 9108.
- The member with the call was merely referring to copious notes, 13114, 13115.
- The Chair was advised that a member, having spoken previously in the debate, should not continue, 14468.

A member's speaking time had expired, 21429.

- On the basis of advice from the Clerk, the Chair's interpretation of Standing Order 157 was that a member could require the Chair to put separate questions on the paragraphs of a motion, but he could not require the Chair to allow further debate, 22409.
- The standing orders permit the Chair to direct a member to stop interjecting and to call him to order, 22569.

## **Relevance:**

- The Chair suggested that the member with the call remain within the leave of the bill and not incite interjections, 1397.
- The member who leads for the Opposition is given considerably more latitude than other speakers. Although dealing with shootings when speaking to the Firearms Amendment (Prohibited Pistols) Bill seemed to be permissible, referring to detective numbers was straying too far from the leave of the bill, 1977.
- Having allowed a member to talk about prostitution and corruption, which were well removed from the leave of the Police Powers (Drug Detection in Border Areas Trial) Bill, the Chair was unable to understand how an electoral redistribution was connected with the legislation. The member with the call was asked to return occasionally to the leave of the bill, 2699.

## Mr PAUL GERARD LYNCH: (continued)

#### **Relevance:** (continued)

- A member had suggested that members read about the difficulty of reducing the number of seats in the Legislative Assembly from 99 to 93. The Chair suggested he leave it at that as it was not relevant to the debate, 2699.
- Members should confine their remarks to the question before the Chair, 2700, 2872, 9469, 22567, and it would be a pleasant change if the member with the call did so, 4695.
- The Federal parliamentary Labor Party was not relevant to a debate relating to the importation of Chilean table grapes, 2871.
- A member was making only passing reference to a matter outside the leave of the motion before the Chair. The Chair had allowed the member a degree of latitude, which the member was not astute enough to note. The member was asked to confine his remarks to the terms of the motion, 4213.
- The Chair suggested the member with the call return to the leave of the bill, 5819, which had nothing to do with council elections, 6560.
- The Chair sought to short-circuit a point of order on relevance by indicating to the member with the call that if he wished to speak on the matter in his notice of motion, to which he had referred, he should do so when it is being debated; it did not come within the leave of this motion before the Chair, 6725.
- The member with the call may perhaps be able to speak about Central Coast right-wing members of the Labor Party at another time, and in accordance with the standing orders, 6725.
- During a debate on Central Coast general practitioners, the Chair was sure the member with the call was making only passing reference to rail services, 6726.
- The Chair was sure remarks about the Princes Highway made during debate on the Road Transport (Safety and Traffic Management) Amendment (Alcohol) Bill were made merely in passing, 6885.

## Mr PAUL GERARD LYNCH: (continued)

### **Relevance:** (continued)

- The Chair did not need to hear the Minister on a point of order relating to relevance. The member had moved outside the leave of the bill. The fact that he had finished his contribution avoided the Chair directing him to resume his seat, 6886.
- The Chair was sure the member with the call was making a passing reference only to a matter not relevant to the debate, 8506.
- Although the Chair had extended a considerable degree of latitude to the member with the call, he was asked to return to the leave of the bill, 9471.
- A member was asked to return to the subject matter of the debate rather than respond to interjections, 17344.
- A member was asked to return to the leave of the bill; even if he did so tangentially, that would have helped. If the member wanted to cavil with the ruling of the Chair, he would be placed on more than one call to order, 18059.
- In a debate relating to home telephone connection costs a member was entitled to talk about pensioners. However, the Chair hoped he would not talk about that issue for the rest of his speech, 21000.
- A member was asked to return to the leave of the bill, 21254.
- Given the broad-ranging nature of the motion, a member was in order, 21426.

### **Tabling of documents:**

The standing orders do not allow members to table documents, 19684. However, a member was permitted to leave a document on the table for the information of members, 6447.

## Use of props:

The Chair had not interrupted the member with the call because the newspaper to which she was referring was the subject of the motion. Having probably been provoked into displaying the newspaper by the interjections of another member, she had made her point and would not need to use it further, 2838.

## Mr PAUL GERARD LYNCH: (continued)

AS TEMPORARY CHAIRMAN OF COMMITTEES:

## Amendments:

Amendments ruled out of order, 2485.

# Interjections, interruptions and disorder:

## Conversation

Members who wish to conduct private conversations should do so outside the Chamber, 21751.

# Interjections

The Chair was happy to concede that the member with the call is entitled to respond to interjections, although the Minister at the table had been remarkably restrained, 11346.

## Order and Decorum

- Members should not cavil with the rulings of the Chair, 1703.
- The Chair suggested that both sides of the Chamber come to order so that the Leader of the Opposition would not be distracted, 8762.
- The Committee was called to order. A member had been in the House long enough to know that he should remain silent when the Chair was on his feet. Hansard was unable to hear the debate because of the level of noise in the Chamber. The Chair suggested that all members pay attention to the debate. Members who wanted to make a noise should leave the Chamber, 10054.
- Given the level of noise in the Chamber, Hansard had not been able to record everything a member had said. The Committee was asked to show a degree of decorum during the debate, 10054.
- The purpose of the debate was to deal with the specific amendment before the Committee; it was not a second reading debate, 10055.
- Unless the member with the call wished to leave the Chamber he would not interrupt the Chair when the Chair was on his feet, 10055.
- Having put the question, the Chair was unable to hear the response because of a point of order. He restated the question, 10055.
- Members should direct their comments through the Chair, 21753.

## Mr PAUL GERARD LYNCH: (continued)

# Offensive and objectionable remarks, imputations and aspersions:

A member was placed on two calls to order for casting aspersions on the Chair, 10055.

# Points of order:

# Upheld:

Members should address the amendment before the Committee, 10055, 21746.

Members should direct their comments through the Chair, 21746, 21748.

- A member was entitled to make passing reference to a matter not relevant to the debate. Had he proceeded further the Chair would have ruled that the remarks should have been made by way of substantive motion, 5745.
- The Chair did not believe a member's remarks were a valid point of order. They probably constituted an appropriate debating point if the member wanted to participate in the debate, 13293.
- A member's remarks constituted a point of debate, not a point of order, 13293, 16513.
- A member's remarks did not constitute a point of order, 21748.

## **Procedure:**

- The Chair had made a ruling. If a member wished to cavil with the ruling, there were steps the Chair may take. The Chair suggested the member confine his comments to the amendment before the Committee, 5736.
- If a member wanted to raise substantive matter during debate on an upper House amendment, he should do so in accordance with the standing orders, 5743.

## **Relevance:**

- Members should confine their remarks to the amendments before the Committee, 1703, 4808, 5735.
- If a member did not return to the amendments before the Committee the Chair would direct him to resume his seat, 1703.
- A member was trying the patience of the Chair by ignoring an earlier ruling. The purview of the amendments before the Committee did not extend to armed robbery repeat offenders, and the Chair did not propose to

## Mr PAUL GERARD LYNCH: (continued)

#### **Relevance:** (continued)

allow him to contravene the standing orders by dealing with matters outside the scope of the amendments, 1704.

- The Chair had allowed a member a degree of discretion, but the arguments he had raised were not covered by the amendments before the Committee and were, therefore, out of order, 4808.
- If a member wanted to talk about amendments that were rejected in the upper House, he should move those amendments in the Legislative Assembly. The only amendment before the Committee was the amendment in the message from the upper House, 5736.
- The Chair was sure a member was making only a minor detour, 8766.
- A member whose remarks had been relevant to the amendments before the committee was moving to a different category of issues. If the member wished to pursue the matter he could not do so in Committee. Any attempt by the member to explain it would amount to cavilling with the ruling of the Chair, 11346.
- A member's remarks were not only outside the leave of the amendments, they also breached the convention that such allegations should be made by way of substantive motion, 11347.

# Ms ALISON PATRICIA MEGARRITY:

AS ACTING-SPEAKER:

Points of order: Not involved: 208.

# Ms MARIANNE FRANCES SALIBA:

## AS ACTING-SPEAKER:

# Amendments:

The Chair could not accept an amendment because the motion had been moved. The Chair suggested that another member could move the amendment on behalf of the member with the call, 20967.

## **Consideration of Urgent Motions:**

When speaking in the five-minute debate relating to urgent motions, members must give reasons why their motions should receive priority, 17748.

Ms MARIANNE FRANCES SALIBA: (continued)

### Interjections, interruptions and disorder:

## **Interjections**

There was too much interjection in the Chamber, 4656, 5172.

# Interruptions

If a member continued to interrupt the member with the call, the Chair would rule him out of order, 4223.

#### Order and Decorum

- Members who have had an opportunity to speak in debate should listen to the contributions of other in silence, 2658, 21391.
- Members were reminded of the protocols of the House relating to the way in which they refer to each other, 2844.
- If a member did not resume his seat, or if there was another outburst, the Chair would direct that he be removed from the Chamber, 2844, 18195.
- Members should direct their remarks through the Chair, 2844, 2845, 18788.
- Members of the Opposition were asked not to prompt the member with the call, 5167.
- Members should be addressed by their correct titles, 17854, 18194.
- The Chamber has certain standards and the Chair asked members to maintain them, 18788.

# Matters of public importance:

- The standing orders provide that, after debate on an urgent motion, in debate on a matter of public importance there shall be two speakers for 10 minutes, one speaker for five minutes and the member who initiated the matter may then speak in reply for five minutes, 4222.
- A member's remarks were relevant to the matter of public importance before the Chair, 4223.
- In a debate on a matter of public importance the standing orders refer clearly to "the member next speaking" and that was the member who attracted the attention of the Chair, that member being the honourable member for Port Macquarie, 18784.

# Ms MARIANNE FRANCES SALIBA: (continued)

## Matters of public importance: (continued)

The resolution of the House had clearly stated that two additional speakers had been permitted to speak for five minutes on a matter of public importance, namely the honourable member for Wakehurst and the honourable member for Manly, and the honourable member for Wakehurst was given the call, If the additional speakers did not wish to avail themselves of the opportunity to speak, the Chair would call the Minister in reply. The Leader of The Nationals, who had not been named as a speaker in the debate, had an opportunity to attract the attention of the Chair and had not done so, 18785, 18786, 18787.

#### Member removed: 2845, 18781.

#### Points of order:

Not involved: 2654, 2655, 2844, 2845, 2846, 3490, 3917, 3920, 4497, 4654, 4656, 5448, 17749, 17753, 17754, 17776, 17777, 17853, 17985, 18095, 18193, 18195, 18334, 18335, 18781, 18782, 18784, 18785, 18786, 18787, 19038, 19660, 21281, 21391, 23125.

**Upheld:** The standing orders provide that, after debate on an urgent motion, in debate on a matter of public importance there shall be two speakers for 10 minutes, one speaker for five minutes and the member who initiated the matter may then speak in reply for five minutes, 4222.

Members should confine their remarks to the question before the Chair, 4496, 5165.

- Before hearing further points of order, the Chair reminded members that they should not waste the time of the House. If the member with the call did so, the Chair would direct that he be removed from the House, 2845.
- The Chair would hear no further improper points of order, 18335.
- Members were asked not to take any further frivolous points of order, 18788.
- A member's remarks did not constitute a point of order, 18788, 19661, 21161.
- The Chair thanked a member for the information provided in a point of order, 19339.

# Ms MARIANNE FRANCES SALIBA: (continued)

## **Privilege:**

The Serjeant-at-Arms is also the Clerk-Assistant (Procedure) and has duties at the table. The Deputy Serjeant-at-Arms acts under the delegation of the Serjeant-at-Arms. Accordingly, the Chair requested the Deputy Serjeant-at-Arms to remove a member from the House, 2848.

# **Procedure:**

What is on the *Hansard* record cannot be removed, 4222.

- When a member seeks the call, he or she must attract the attention of the Chair so that the Chair knows the member wishes to speak, 18195.
- A member's speaking time had expired, 18335.
- A Minister was concluding her contribution, 20829.
- A member was asked to move his urgent motion, 21275.

# Ms MARIANNE FRANCES SALIBA: (continued)

## **Relevance:**

- Members should confine their remarks to the question before the Chair, 1763, 2708, 3920, 4221, 4223, 4396, 4496, 5172, 17853, 19037, 19039.
- A member's remarks were relevant to the matter of public importance before the Chair, 4223.
- The Chair had not been in the Chamber during earlier debate. She was now the occupant of the chair and she directed the member with the call to confine his remarks to the question before the Chair. If he did not do so, she would direct him to resume his seat, 17854.
- The Chair was sure the Minister would return to the subject matter of the motion, 20970.
- AS TEMPORARY CHAIRMAN OF COMMITTEES:

# **Relevance:**

Member should confine their remarks to the amendment before the Committee, 2616.

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*Explanation of Abbreviations: adj.*, Adjournment Debate; *cons. urg.*, Consideration of Urgent Motion; *m.*, Motion; *mes.*, Message; *min. stmt*, Ministerial Statement; *mpi*, Mater of Public Importance or Matter of Public Interest; *pers. expl.*, Personal explanation; *pet.*, Petition; *pms*, Private Member's Statement; *q.*, Question.

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