



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ADMINISTRATION AND PROCEDURE
Speaker Ms Joy Burch MLA (Chair), Ms Nicole Lawder MLA (Deputy Chair),
Ms Suzanne Orr MLA, Mr Andrew Braddock MLA

Submission Cover sheet

Review of the Standing Orders and
Continuing Resolutions of the Tenth
Assembly

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Andrew Barr MLA

Chief Minister

Ms Joy Burch MLA
Speaker
Attn: Secretary
Standing Committee on Administration and Procedure
ACT Legislative Assembly
GPO Box 1020
CANBERRA ACT 2601

Dear Madam ~~Speaker~~ ^{Joy}

Thank you for inviting submissions to the Legislative Assembly's Standing Committee on Administration and Procedure review of the Standing Orders.

Please find attached the ACT Labor Caucus' Submission to the Standing Committee on Administration and Procedure's review of the Standing Orders of the ACT Legislative Assembly.

Your sincerely



Andrew Barr MLA

Leader of the ACT Labor Party



Chapter	Chapter Section	Standing Order	Proposed Changes	Proposed Amended Standing Order	Comment
Chapter 5 Sitting and Adjournment of the Assembly	Adjournment and next sitting Adjournment of the Assembly	34. Unless otherwise ordered, at 6:30 pm on each sitting day, the Speaker shall propose the question – That the Assembly do now adjourn – which question shall be open to debate. No amendment may be moved to this question:	Extend adjournment to allow for ten minutes of 90 second member statements followed by 30 minutes of 5 minute adjournment speeches	34. Unless otherwise ordered, at 6:20pm on each sitting day, the Speaker shall propose the question – That the Assembly do now adjourn – which question shall be open to debate. No amendment may be moved to this question:	<i>n.b will require consequential changes to SO69</i>
Chapter 6 Rules of Debate	Manner and Right of Speech Use of Queen’s, Governor- General’s or Governor’s name	53. A Member may not use the name of Her Majesty or her representatives in Australia disrespectfully in debate, nor for the purpose of influencing the Assembly in its deliberations.	Change the language used to gender neutral e.g. Their Majesty, if not possible update from Queen to King	53. A Member may not use the name of Their/His Majesty or her representatives in Australia disrespectfully in debate, nor for the purpose of influencing the Assembly in its deliberations.	
	Time Limits for debates and speeches	NEW	Add time limits for to cover Ministerial Statement whole debate duration	Ministerial Debate Whole Debate ... 60 minutes	<i>Consideration could be given to time limits for individual members however this would need careful consideration to manage the duration of the whole debate and to make</i>

					<i>sure a member is not precluded to speaking to more than one statement per whole debate.</i>
Chapter 7 Business	Routine of Business	74. The Assembly shall proceed each day with its ordinary business in the following routine: Prayer or reflection Presentation of petitions Ministerial statements Notices and orders of the day Questions without notice Presentation of papers Private Members' business Ministerial statements Notices and orders of the day: Provided at 2pm...	Add a specific time for Assembly Business/ Committee Business	<i>Prayer or reflection Presentation of petitions Ministerial statements Notices and orders of the day Assembly/Committee Business Questions without notice Presentation of papers Private Members' business Ministerial statements Notices and orders of the day Assembly/Committee Business: Provided at 2pm...</i>	<i>n.b Consequential changes may also be needed for SO75 and SO77</i>
Chapter 9 Notices of Motion	Notices of motion – how given	101. Notice of motion shall be given by delivering a copy of its terms to the Clerk in the Chamber during a sitting. The notice must be signed by the Member, (if a co-sponsored motion, by both Members whose names are on the notice). Except that a proposed notice of motion to be considered by the Standing Committee on Administration and Procedure	amend to allow for motions to be submitted electronically when the Monday that the motion is due to be submitted falls on a public holiday	101. Notice of motion shall be given by delivering a copy of its terms to the Clerk in the Chamber during a sitting. The notice must be signed by the Member, (if a co-sponsored motion, by both Members whose names are on the notice). Except that a proposed notice of motion to be considered by the Standing Committee on Administration	

		under standing order 16(a)(iii) must be delivered to the Clerk no later than 12 noon on the Monday of the sitting week at which it is proposed to be moved. (Amended 6 March 2008, 13 December 2016 and 29 November 2018)		and Procedure under standing order 16(a)(iii) must be delivered to the Clerk no later than 12 noon on the Monday of the sitting week at which it is proposed to be moved. Where the Monday of the sitting week at which the motion is proposed to be moved is a public holiday the motion can be submitted electronically and a physical copy provided on the next business day. (Amended 6 March 2008, 13 December 2016 and 29 November 2018)	
	NEW	NEW	Insert a section that allows for Private Members Motions or Bills which have been adjourned to be brought back to conclude debate		
Chapter 10 Questions Seeking Information	Rules for all questions	117. the following general rules shall apply to questions: ...	Modernise this section and make it better reflect best practice from other parliaments.		
		117 (d) questions shall not be asked which reflect on or are critical of the character or conduct of those persons whose conduct may only be challenged	Split into two parts so that the second part has more prominence.	(d) questions shall not be asked which reflect on or are critical of the character or conduct of those persons whose conduct	

		on a substantive motion, and notice must be given of questions critical of the character or conduct of other persons;		may only be challenged on a substantive motion; <i>(e)</i> notice must be given of questions critical of the character or conduct of other persons;	
Chapter 17 Disorder	Period of suspension	204. If any Member is suspended under standing order 203, that Member's suspension on the first occasion shall be for 3 sitting hours; on the second occasion during the same calendar year for 2 sitting days excluding the day of suspension; and on the third or any subsequent occasion during the same calendar year for 3 sitting days excluding the day of suspension.	Amend to a rolling 12 month period to encourage orderly behaviour across the full year.	204. If any Member is suspended under standing order 203, that Member's suspension on the first occasion shall be for 3 sitting hours; on the second occasion during <i>a 12 month period</i> for 2 sitting days excluding the day of suspension; and on the third or any subsequent occasion during <i>a 12 month period</i> for 3 sitting days excluding the day of suspension.	
Chapter 19 Papers and documents	Motion to take note or refer to a committee	214. On any paper being presented to the Assembly as provided in this chapter, a Minister may move without notice either of the following motions: (a) that the Assembly takes note of the paper; or (b) that the paper be referred to a committee for inquiry and report: provided that, if such a motion is not moved at the time of the presentation of the paper, it may be moved	Amendments that improve the way papers are adjourned for noting and removed from the notice paper	<i>214. On any paper being presented to the Assembly as provided in this chapter, a Minister may move without notice that the Assembly take note of the papers and the matter be set down for debate later in the day.</i>	<i>ACT Labor acknowledges the current process for noting papers is cumbersome and is open to improving this process and supports an outcome that streamlines the process to make it as efficient as possible.</i>

		subsequently, on notice or by leave.			<i>n.b. this may require consequential changes to SO74.</i>
Chapter 20 Committees	NEW – place at start of chapter	New	Make it clear standing orders apply to committee proceedings	<i>The rules applying to the Chamber shall also apply to Committees, subject to the standing orders in this chapter</i>	
	Membership	New	Improve the gender balance on committees	<i>Overall membership of committees shall comprise members of all genders as nearly as practicable proportional to their representation in the Assembly</i>	
	Examination of witnesses	New	At hearings prevent MLAs passing questions to other MLAs and in practice skipping committee members for non-members	<i>if a member chooses not to put a question the question is forfeited and the opportunity to put a question cannot be given in lieu too another member.</i>	
	Statement and discussion paper	246A. A committee may resolve to make a statement to the Assembly or to release a discussion paper generally on matters within a committee’s resolution of establishment or which relates to a particular inquiry being undertaken by the committee. If the committee resolves that a statement should	Add ‘Any statement or discussion paper cannot contain statements prejudicial to a person or organisation.’	246A. A committee may resolve to make a statement to the Assembly or to release a discussion paper generally on matters within a committee’s resolution of establishment or which relates to a particular inquiry being undertaken by the committee. If the committee resolves that a statement	

		<p>be made to the Assembly or a discussion paper released concerning an inquiry under consideration or a matter within its terms of reference, the Chair may make such a statement to the Assembly. The committee is authorised to release a discussion paper when the Assembly is not sitting, but must present the discussion paper at the next meeting of the Assembly. The discussion paper must be signed by the Chair.</p>		<p>should be made to the Assembly or a discussion paper released concerning an inquiry under consideration or a matter within its terms of reference, the Chair may make such a statement to the Assembly. The committee is authorised to release a discussion paper when the Assembly is not sitting, but must present the discussion paper at the next meeting of the Assembly. The discussion paper must be signed by the Chair. <i>Any statement or discussion paper cannot contain statements prejudicial to a person or organisation.</i></p>	
	<p>Questions arising from committee hearings</p>	<p>254D. (a) A member must lodge a question on notice with the Committee within 5 business days following the conclusion of a Committee hearing. A response is due within 5 business day of receipt of the question. (b) A member must respond to a question taken on notice in the course of a Committee hearing within 5 business days of the receipt of the uncorrected proof Hansard. (Inserted 29 November 2018)</p>	<p>Allow additional time for questions that are complex or have a number of multiple parts</p>	<p>254D. (a) A member must lodge a question on notice with the Committee within 5 business days following the conclusion of a Committee hearing. A response is due within 5 business day of receipt of the question. (b) A member must respond to a question taken on notice in the course of a Committee hearing within 5 business days of the receipt of the uncorrected proof Hansard. <i>When the question lodged is complex or contains multiple</i></p>	

				<i>parts the member responding can take up to 5 additional business days to respond to the question.</i>	
Chapter 23 Addresses to the Queen or the Governor- General	multiple	Multiple	Change the language used to gender neutral e.g. Their Majesty, if not possible update from Queen to King	multiple	
Continuing Resolution 5					<i>Check whether section needs to be updated to include the Integrity Commission</i>
NEW	NEW	NEW	Place clearly in the standing orders	<i>We propose the establishment of a new section within the standing orders directly addressing responsibility for Work Health and Safety within the Assembly.</i> <i>The new section of the standing orders should outline who is responsible for the implementation of work health and safety standards, as set out in the Work Health and Safety Act and associated Regulations at all times. This includes the responsibility of: (1) the Speaker during Sitting periods and at all</i>	

				<p><i>times within the Assembly precinct; (2) Committee Chairs in all aspects of meetings and hearings.</i></p> <p><i>It should also outline that in the event of a declared public health emergency of COVID-19 management declaration that parties with responsibility for WHS implementation are also responsible for the implementation of public health requirements as set out in the relevant declaration, as a minimum.</i></p>	
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