

Legislative Assembly for the Australian Capital Territory

Standing Order 8

Temporary Deputy Speakers

**Report by the Standing Committee on
Administration and Procedure
April 1998**

RESOLUTION OF APPOINTMENT

On 9 March 1995, the Legislative Assembly for the Australian Capital Territory adopted standing order 16 which established the Standing Committee on Administration and Procedure. This standing order was amended on 4 May 1995 to provide the following terms of reference:

16. (1) A Standing Committee on Administration and Procedure shall be appointed at the commencement of each Assembly to:
 - (a) inquire into and report on, as appropriate:
 - (i) the Assembly's annual estimates of expenditure;
 - (ii) the practices and procedure of the Assembly; and
 - (iii) the standing orders of the Assembly;
 - (b) advise the Speaker on:
 - (i) Members' entitlements including facilities and services;
 - (ii) the operation of the transcription service (*Hansard*);
 - (iii) the availability to the public of Assembly documents;
 - (iv) the operation of the Assembly library; and
 - (c) arrange the order of private Members' business and Assembly business;

Membership

The Speaker (Presiding Member)
Mr S Corbell, MLA
Mr H Hird, MLA
Mr P Osborne, MLA
Ms K Tucker, MLA

Secretary:	Mr M McRae
Deputy Secretary	Ms M Weeks

INTRODUCTION

1. Standing Order 8 of the Legislative Assembly states:

Temporary Deputy Speakers

8. The Speaker shall nominate at the commencement of every Assembly not more than 2 Members, not being Ministers, any one of whom shall act as temporary Deputy Speaker. The Speaker may revoke the nomination of any Member.
2. As the standing order states the role of a temporary deputy Speaker is to take the Chair when it is vacated by the Speaker or Deputy Speaker. The duties and responsibilities of the Speaker (or any deputy) are clearly described in May's Practice (in relation to the Speaker of the House of Commons) as:

On the one hand he is the spokesman or representative of the House in its relations with the Crown, the House of Lords and other authorities and persons outside Parliament. On the other hand he presides over debates of the House of Commons and enforces the observance of all rules for preserving order in its proceedings.¹

The basic principles can be applied to the role of the Speaker and his deputies when in the Chair of the Legislative Assembly.

3. Since self-government, the positions of temporary deputy Speaker generally have been filled from the ranks of the Government or Opposition parties (see Table 1). At the commencement of the Fourth Assembly, the Speaker asked Members for an indication of interest in filling the position of Temporary Deputy Speaker. In response to the invitation the Speaker received expressions from Members of both the Government and Opposition parties and also from a Member of the cross benches. The total of three Members indicating a willingness to serve the Assembly as Temporary Deputy Speaker therefore exceeded the specifications of the standing order (which specifies not more than **two** Members can fill that position). A number of options were available and the Speaker considered that the matter could be resolved if the Standing order was amended to permit three Members to serve in the position.

Table 1 - Temporary Deputy Speakers

Name	Date	Party
Mr Norman Jensen	1/6/89	Residents Rally

¹ Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament, 21st Edition, p. 179

Mr Bill Wood	1/6/89	ALP
Mrs Ellnor Grassby	8/4/92	ALP
Mr Lou Westende	8/4/92	Liberals
Mr Bill Stefaniak	25/8/94	Liberals
Mr Bill Wood	4/5/95	ALP
Mr Trevor Kaine	4/5/95	Liberals
Mr Harold Hird	25/2/97	Liberals

4. One of the responsibilities of the Standing Committee on Administration and Procedure (as defined in standing order 16) is to inquire into and report on the standing orders of the Assembly. The issue of the number of Temporary Deputy Speakers defined in standing order 8 was raised and considered at the meeting of 28 April 1998 of the Committee. The report of the Committee was adopted at a meeting of 29 April 1998.

WORK OF THE COMMITTEE

5. In considering the prescriptions placed by standing order 8 on the appointment of Temporary Deputy Speakers, the Committee noted that a representative from the cross benches serving in the position would further reflect the impartiality of the Chair as the position could then be held by all sections of the Chamber.
6. The opportunities to speak available to Members who hold the positions of Deputy Speaker and Temporary Deputy Speaker will also be increased as the pool of people available to take the Chair should the Speaker vacate it is larger. In past Assemblies, particularly during long sittings of the Assembly, Members have had difficulty in meeting both the demands of wishing to participate in debate and fulfilling their responsibly of relieving the Speaker in the Chair.
7. The Committee agreed that both the Assembly and the Members holding the position would benefit from increasing the number of Members who, under standing order 8, can be nominated as Temporary Deputy Speakers to three. The Committee therefore **recommends** that standing order 8 be amended to read:

Temporary Deputy Speakers

8. The Speaker shall nominate at the commencement of every Assembly not more than 3 Members, not being Ministers, any one of whom shall act as temporary Deputy Speaker. The Speaker may revoke the nomination of any Member.

Greg Cornwell, MLA
Presiding Member
29 April 1998