



NORFOLK ISLAND

LEGISLATIVE ASSEMBLY

STANDING ORDERS

as amended at 14 April 2010

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LEGISLATIVE ASSEMBLY

STANDING ORDERS

CHAPTER I

GENERAL RULE

1. Any questions relating to procedure or the conduct of business of the House not provided for in these standing orders shall be decided according to the practice in the House of Representatives in the Parliament of the Commonwealth of Australia.

**General rule for the
conduct of business**

CHAPTER II

PROCEEDINGS ON THE MEETING OF NEW HOUSE

2. On the first day of the meeting of the House for the dispatch of business after an election, pursuant to the Administrator convening the first meeting, Members having met at the time and place appointed -
 - a) The Administrator or a person authorised by the Administrator for the purpose shall enter the Chamber of the purposes of swearing in Members.
 - b) The Clerk shall read the notice calling the House together.
 - c) The return to the writ endorsed with the names of the persons elected shall be read and laid on the Table by the Clerk, and the Members shall then take the oath or affirmation of allegiance and the oath or affirmation of office as prescribed by the *Norfolk Island Act 1979*.

**First meeting of the
new House**

- d) When all Members have been sworn the Administrator or the person authorised by the Administrator shall vacate the Chair and the House shall proceed to the election of a Speaker and a Deputy Speaker.
 - e) Until a Speaker is elected the Clerk shall act as chairman of the House.
 - f) The Speaker having been elected shall present himself to the Administrator and shall take the Chair.
 - g) The Administrator shall deliver his speech and a copy shall be handed to the Speaker.
 - h) The Speaker on behalf of the House shall propose as Address in Reply to the Administrator's speech.
 - i) The Address as agreed to by the House shall be presented to the Administrator by the Speaker.
3. On any occasion upon which the Governor-General intends to open the House, references in Chapter II of these standing orders to the Administrator shall, to the extent necessary, be read as reference to the Governor-General.

**Presence of
Governor-General**

CHAPTER III

SPEAKER, DEPUTY SPEAKER AND OFFICERS

Election of Speaker

4. The election of Speaker shall be conducted in the following manner:
- a) On the first day of meeting of the House after an election, or whenever the office of Speaker becomes vacant, a Member, addressing himself to the Clerk, shall propose some other Member, then present, to the House for their Speaker and move that such member “Do take the Chair of this House as Speaker”. A Member when proposed shall inform the House whether he accepts nomination.
A Member proposed as Speaker
 - b) The Clerk shall then ask “Is there any further proposal”, and if there is no further proposal, the Clerk shall say “The time for proposals has expired”. No Member may then address the House or propose any other Member, and the Clerk shall, without question put, declare the Member so proposed to have been elected as Speaker, and such Member shall take the Chair of the House as Speaker.
If unopposed, elected
 - c) If more than one Member is proposed as Speaker, the Clerk shall, after the second proposal and after each subsequent proposal (if any) is made ask “Is there any further proposal” and if there is no further proposal, the Clerk shall say “The time for proposals has expired”.
When 2 or more Members proposed
 - d) The election shall then be proceeded with as provided in this standing order.
Election to be proceeded with
 - e) When only 2 Members are proposed as Speaker, each Member shall deliver to the Clerk a ballot-paper in writing, containing the name of the candidate for whom he votes and the votes shall be counted by the
Mode of decision between candidates

Clerk at the table; and the candidate who has the greater number of votes shall be the Speaker, and take the Chair.

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| f) | When more than 2 Members are so proposed, the votes shall be taken in like manner, and the Member who has the greatest number of votes shall be the Speaker, provided he has also a majority of the votes of the Members present; but if no candidate has such majority, the name of the candidate having the smallest number of votes shall be excluded from subsequent ballots, and a fresh ballot shall take place; and this shall be done as often as necessary, until one candidate is declared to be elected as Speaker by such majority, when such Member shall take the Chair. | Mode of decision where more than 2 candidates |
| g) | In the event of there being an equality of votes, the Clerk shall declare such to be the case, and the votes shall be again taken, when, if again there shall be an equality of votes, the Clerk shall determine, by lot, which of the candidates, having the same number of votes, shall be withdrawn, as if he had obtained the lesser number of votes. | Equality of votes |
| h) | Whenever at any stage a withdrawal leaves only one candidate remaining he shall, without further voting, be declared elected as Speaker, and shall then take the Chair. | One candidate remaining |
| i) | Having taken the Chair, the Member elected returns his acknowledgments to the House for the honour conferred upon him, and thereupon sits down in the Chair. | Speaker takes Chair |

Election of Deputy Speaker

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|----|---|-------------------------------|
| 5. | On the first day of meeting of the House after an election, or whenever the office becomes vacant, a Member shall be elected by the House to be the Deputy Speaker. | Deputy Speaker elected |
| 6. | The Deputy Speaker shall be elected in a similar manner to the Speaker. | How elected |

Absence of Speaker

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| 7. | Whenever the House is informed by the Clerk of the absence of the Speaker, the Deputy Speaker shall preside during that absence. | Absence of Speaker |
| 8. | The Deputy Speaker shall take the Chair whenever requested so to do by the Speaker during a sitting of the House without any formal communication to the House. | Speaker relieved by Deputy Speaker |
| 9. | The Speaker shall nominate as soon as practicable after the opening of a new House not more than 2 Members any one of whom shall act as Deputy Speaker. The Speaker may revoke the nomination of any Member. | Acting Deputy Speakers |
| 10. | The Speaker or the Deputy Speaker may call on any one of the Acting Deputy Speakers to take the Chair. | Speaker relieved by Acting Deputy Speaker |

Absence of Speaker and Deputy Speaker

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| 11. | Whenever the House is informed by the Clerk of the absence of both the Speaker and the Deputy Speaker, the Members present, if a quorum *, may at once proceed to elect, in the manner hereinbefore provided, one of their number who shall, subject to any other order of the House, perform the duties of the Speaker during that absence. Otherwise the House stands adjourned. | Absence of Speaker and Deputy Speaker |
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(* A quorum is 5 Members of the House)

Vacancy in office of Speaker or Deputy Speaker

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| 12. | When a vacancy has occurred in the office of Speaker the Clerk shall report the same to the House at its next sitting, and the House shall forthwith proceed to the election of a new Speaker in the manner hereinbefore provided. | Vacancy in office of Speaker |
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13. When a vacancy has occurred in the office of Deputy Speaker the Speaker shall report the same to the House at its next sitting, and the House shall forthwith proceed to the election of a new Deputy Speaker in the manner hereinbefore provided.

Vacancy in office of Deputy Speaker

**Speaker and Deputy Speaker
unable to perform functions of Speaker**

14. If both the Speaker and Deputy Speaker are unable, by reason of the operation of sub-section 39(3) of the *Norfolk Island Act 1997*, to perform the functions of the Speaker, the Members present, if a quorum, shall elect, in the manner hereinbefore provided, one of their number to preside.

Speaker and Deputy Speaker unable to perform functions of Speaker

Absence of, and vacancy in office of, Clerk

15. In case of unavoidable absence of the Clerk the Speaker may, in accordance with a recommendation of the House appoint a person to act as Clerk.
16. During any vacancy in the office of Clerk or while the Clerk is absent from duty, all powers, functions, and duties of the Clerk shall be exercised and performed by the person appointed to act as Clerk.

Unavoidable absence of Clerk

Vacancy in office of Clerk

CHAPTER IV

STANDING COMMITTEES

17. A Standing Orders Committee to consist of the Speaker, Deputy Speaker and 3 other Members shall be appointed as soon as practicable after the opening of a new House to maintain a continuing surveillance of the practices and procedures of the House with a view to making recommendations which would enhance the operational efficiency of the House.
- Standing Orders Committee**
18. A Committee of Privileges shall be appointed as soon as practicable after the opening of a new House to –
- Committee of Privileges – amended 29.10.05**
- a) inquire into and report upon complaints of breach of privilege which may be referred to it by the House; and
 - b) inquire into and report upon any matter referred to it under the Legislative Assembly (Register of Members’ Interests) Act 2005.
- The Committee to consist of three permanent members and an alternate member to act when a permanent member is unavailable due to illness; is off Island; or nominates to be absent due to a conflict of interest or some other reason
19. A House Committee to consist of the Speaker and 2 other Members shall be appointed as soon as practicable after the opening of a new House to advise the Speaker on the facilities to be made available to Members and staff within the areas allocated to the House.
- House Committee**
20. A Business Committee to consist of the Speaker and 2 other Members shall be appointed as soon as practicable after the opening of a new House to arrange the order of business for the House.
- Business Committee**
- 20A. An Impact of Bills and Subordinate Legislation Committee, to consider Bills and subordinate legislation referred to it by the House shall be appointed as soon as practicable after the opening of a new House. The Committee to consist of three permanent members and an alternate member to act when a permanent member is unavailable due to illness; is off Island; or nominates to be absent due to a conflict of interest or some other reason.
- Impact of Bills & Subordinate Legislation Committee**

20B. A Public Accounts and Estimates Committee to consist of the Speaker (ex officio) and three other Members shall be appointed as soon as practicable after the opening of a new House to scrutinise and assess the financial administration of the Public Sector, and to promote reform where necessary.

**Public
Accounts &
Estimates
Committee**

The Committee shall –

- 1) examine –
 - a) the accounts of the receipts and expenditure of Norfolk Island;
 - b) the financial affairs of authorities of Norfolk Island;
 - c) all reports of the Government Auditor which have been laid before the Assembly; and
 - d) such other relevant matters as the Committee deems relevant
- 2) Report to the Assembly with such comments as it thinks fit, any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed
- 3) Inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question

Amended
14 April
2010

The Committee may consider any other matter relevant to its inquiry; shall have the power to send for persons, papers and records; and may invite submissions from members of the public

21. Other standing committees may be appointed from time to time to consider and report on such subjects as may be decided by the House.

22. All standing committee shall be appointed on motion and, except as provided in standing order 17, 18, 19 or 20 or unless otherwise ordered, shall consist of a minimum of 3 Members to be nominated: Provided that if more Members are nominated than are required the House shall proceed to ballot.

**Manner of
appointment**

23. Members may be discharged from attending a committee, and other Members nominated and elected.

Membership

24. The quorum of a standing committee shall comprise a majority of the Members of the committee.

Quorum of standing committees

25. The procedure to be adopted in the proceedings of standing committees shall be the same as that of select committees unless the House otherwise orders.

Procedure in committees

CHAPTER V

ADMINISTRATION

Member's Roll

26. A Member's roll shall be kept by the Clerk, showing the names of the Members elected, the dates of their election and of ceasing to be Members and the cause thereof.

Member's roll to be kept by Clerk

Attendance

27. The attendance of Members at each sitting of the House shall be recorded in the Minutes of Proceedings.

Record of attendance

Seating

28. Any question with regard to the seats to be occupied by Members shall be determined by the Speaker.

Seats

Leave of Absence

29. Leave of absence may be given by the House to any Member on motion without notice, such motion to have priority over all other business.

Leave of absence

30. A Member shall be excused from service in the house, or any committee, so long as he has leave of absence.

Leave of absence excuses from service

31. Any Member, having leave of absence, shall forfeit the same if he attend the service of the House before the expiration of such leave.

**Leave of absence
forfeited**

Minutes of Proceedings

32. All proceeding of the House shall be recorded by the Clerk, and such records shall constitute the Minutes of Proceedings of the House, and shall be signed by the Clerk.

**Minutes of
Proceedings of
House**

Custody of Records

33. The custody of the Minutes of Proceedings, records and all documents whatsoever laid before the House shall be in the custody of the Clerk.

Custody of records

CHAPTER VI

SITTING AND ADJOURNMENT OF THE HOUSE

Time of Meeting

34. Unless otherwise ordered each sitting of the House shall commence at 10 am. (**Amended 2.5.84**)

Time of meeting

Quorum at time of Meeting

35. The Chair shall be taken at the time appointed on every day fixed for the meeting of the House, but if a quorum or Members is not present, and if with 5 minutes a quorum is still not present, the Speaker shall adjourn the House: Provided that if the Speaker is satisfied there is likely to be a quorum with a reasonable time he shall announce that he will take the Chair at a stated time; but if at that time there be not a quorum the Speaker shall adjourn the House.

Chair taken or House adjourned for want of quorum

36. A Member shall not withdraw from the Chamber within 5 minutes after the time appointed for the meeting unless a quorum is obtained.

Members not to withdraw

Prayer

37. Upon the Speaker taking the Chair at the commencement of each sitting, and a quorum of Members being present, he shall read the following Prayer:

Prayer

Almighty God, we humbly beseech thee to vouchsafe Thy blessing upon this House. Direct and prosper our deliberations to the advancement of Thy Glory, and the true welfare of the people of Norfolk Island. Amen.

Quorum during Sitting

38. If it appears from the result of a vote of the House that a quorum of Members is not present, the Speaker shall adjourn the House; and no decision of the House shall be considered to have been arrived at by such vote: Provided that if the Speaker is satisfied there is likely to be a quorum within a reasonable time he shall announce that he will take the Chair at a stated time; but if at that time there be not a quorum the Speaker shall adjourn the House.
Upon any such adjournment the resolution of the question shall become an order of the day for the next sitting.

Vote indicating lack of quorum

39. If any Member takes notice that a quorum of Members is not present the Speaker shall count the house; and, if a quorum be not present within 2 minutes, he shall adjourn the House: Provided that if the Speaker is satisfied there is likely to be a quorum within a reasonable time he shall announce that he will take the Chair at a stated time; but if at that time there be not a quorum the Speaker shall adjourn the House.

Notice taken of lack of quorum

40. When the attention of the Speaker has been called to the fact that there is not a quorum of Members present, no Member shall leave the Chamber until a quorum is present or 2 minutes have elapsed.

No Member to leave

Adjournment and next Meeting

41. Except as provided by these standing orders the House can be adjourned only by its own resolution.

Adjournment of the House

42. A motion for the adjournment of the House may be moved by any Member, provided that the Speaker may inquire if the motion is supported, and if it is not supported by at least 2 other Members it shall not be received. No motion for the adjournment of the House may be moved while any other question is before the Chair. No amendment can be moved to a motion for the adjournment of the House, but matters irrelevant to the motion may be debated.

Any Member may move adjournment

43. A motion for fixing the date of the next meeting of the House may be moved without notice by any Member at any time, provided that no debate shall be interrupted by any such motion. The resolution shall be notified to the Administrator by the Clerk.

Motion to fix next Meeting

CHAPTER VII

RULES OF DEBATE

Order

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| 44. | Order shall be maintained in the House by the Speaker. | Order maintained by Speaker |
| 45. | Whenever the Speaker rises during a debate the House shall be silent, so that the Speaker may be heard without interruption. | Speaker standing |
| 46. | When the Speaker is putting a question no Member may walk out of or across the Chamber. | When Speaker putting question |
| 47. | When a Member is speaking, no Member may converse aloud or make any noise or disturbance to interrupt him. | Member speaking not to be interrupted |
| 48. | Every Member shall acknowledge the Chair in passing to or from his seat. | Member to acknowledge Chair |
| 49. | Every member of the House, when he comes into the Chamber, shall take his seat. | Members to take their places |

Manner and Right of Speech

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| 50. | Every Member desiring to speak may rise and shall address himself to the Speaker. | Members address Speaker |
| 51. | When 2 or more Members indicate together their desire to speak, the Speaker shall call upon the Member who, in his opinion, first gave such indication. | Speaker calls upon Member to speak |

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| 52. | A Member may speak to any question before the Chair which is open to debate, when moving a motion which will be open to debate, when moving an amendment, when raising a point of order, or upon a matter submitted under standing order, but not otherwise. | When Member may speak |
| 53. | A member may make a statement relating to matters of an official nature: Provided that, without leave of the House, such statements shall be limited to 15 minutes.

At the discretion of the Speaker, Members may put questions to the member relating to the subject matter or the statement. | Official statements |
| 54. | No Member may anticipate the discussion of any subject which appears on the Notice Paper: Provided that in determining whether a discussion is out of order on the ground of anticipation, regard shall be had by the Speaker to the probability of the matter anticipated being brought before the House within a reasonable time. | Anticipating discussion |
| 55. | Having obtained leave from the Chair, a Member may explain matters of a personal nature, although there be no question before the House; but such matters may not be debated. | Personal explanation |
| 56. | A Member who has spoken to a question may explain himself in regard to some material part of his speech which has been misquoted or misunderstood, or interrupt any Member in possession of the Chair, and no debatable matter may be brought forward nor may any debate arise upon such explanation. | Member may explain words |
| 57. | No Member may speak to any question after the same has been put by the Speaker and the voices have been given in the affirmative and negative thereon. | No Member to speak after question put |
| 58. | No Member may allude to any debate or proceedings of the same year unless such allusion be relevant to the matter under discussion. | Allusion to previous debate or proceedings |
| 59. | No Member may reflect upon any vote of the House, except upon a motion that such vote be rescinded. | Reflections upon votes of House |

60. No Member may use the name of Her Majesty, her representative in Australia, or the Administrator, disrespectfully in debate, nor for the purpose or influencing the House in its deliberations.
61. No Member may use offensive words against the House or any Member thereof, or against any member or the Judiciary. **Offensive words**
62. All imputations of improper motives and all personal reflections on Members shall be considered highly disorderly. **Personal reflections**
63. When any offensive or disorderly words are used, whether by a Member who is addressing the Chair or by a Member who is present, the Speaker shall intervene. **Speaker to intervene**
64. When the attention of the Speaker is drawn to words used, he shall determine whether or not they are offensive or disorderly. **Speaker to determine offensive words**
65. No Member shall digress from the subject matter of any question under discussion, provided that, on a motion to adjourn the House, matters irrelevant thereto may be debated. **Members not to digress**
66. Any Member may require the question or matter in discussion to be read by the Speaker at the time during the debate but not so as to interrupt a Member speaking: Provided that this standing order shall not apply when the terms of the question or matter have been circulated among Members. **Question may be required to be read**
67. No Member may interrupt another Member whilst speaking unless (a) to call attention to a point of order suddenly arising; (b) to call attention to the want of a quorum; or (c) to move a closure motion. **Interruption of Member**
68. The Speaker, after having called the attention of the House to the conduct of a Member who persists in irrelevance, or tedious repetition either of his own arguments, or of the arguments used by other Members in debate, may direct him to discontinue his speech. **Irrelevance or tedious repetition**

Matters not open to Debate

69. The following matters are not open to debate, shall be moved without argument or opinion offered, and shall be forthwith put from the Chair without amendment:
- a) Motion for adjournment of debate (standing order 70);
 - b) Motion that the question be now put (subject to standing order 73);
 - c) Motion that a Member be not further heard (subject to standing order 74);
 - d) Motion that the discussion be now concluded (subject to standing order 82), and
 - e) Motion that a Member be suspended (standing order 190).

Matters not open to debate

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

Not to obstruct business

Adjournment of Debate

70. Any Member may move the adjournment of the debate, which question shall be put forthwith and determined without amendment or debate. If the question is resolved in the affirmative, the Speaker shall then put a question to fix the time for the resumption of the debate.
71. The Member, upon whose motion any debate is adjourned by the House, shall be entitled to pre-audience on the resumption of the debate.
72. If proceedings be interrupted by failure to obtain a quorum, such proceedings may, on motion after notice, be resumed at the point where they were so interrupted.

Adjournment of debate

Member moving adjournment entitled to call

Resumption of interrupted proceedings

Certain matters not to be debated except with public excluded

- 72a. No Member may refer to the conditions of service or conduct of a named or identifiable officer unless the House has, on motion duly moved without notice, voted to exclude strangers and suspend broadcasts of its proceedings.

Certain matters not to be debated except with public excluded

In this Standing Order:

“**Conditions of service**” in respect of an officer, includes:

- a) any part of his conditions of service; and
- b) any proposed conditions of service,

and also includes, where appropriate, terms and conditions of appointment;

“**Conduct**” in respect to an officer, includes conduct both in fulfilment of his duties as an officer and otherwise;

“**Officer**” means:

- a) an officer or employee of the Norfolk Island Public Service;
- b) the holder of a statutory appointment on Norfolk Island,

and includes:

- c) a person it is proposed should be an officer; and
- d) the immediate family of an officer who are residing with him,

but does not include a Member who would otherwise be an officer as defined.

Closure

73. After any question has been proposed from the Chair, a motion may be made by any Member, without notice, “That the question be now put”, and, unless it shall appear to the Chair that such motion is an abuse of the rules of the House, or an infringement of the rights of the minority, the question “That the question be now put”, shall be put forthwith and decided without amendment or debate.

Closure of question

74. A motion may be made that a Member who is speaking, except a Member giving a notice of motion or formally moving the terms of a motion allowed under the standing orders, “be not further heard”, and, unless it shall appear to the Chair that such motion is an infringement of the rights of the Member, such question shall be put forthwith and decided without amendment or debate.

Closure of Member

Point of Order and Speaker’s Ruling

75. Any Member may at any time raise a point of order which shall until disposed of, suspend the consideration and decision of every other question.

Point of order

76. Upon a question of order being raised, the Member called to order shall cease speaking, and, after the question of order has been stated to the Speaker by the Member rising to the question of order, the Speaker shall give his ruling thereon.

Proceedings on question of order

CHAPTER VIII

PRIVILEGE

Privilege

77. Upon a matter of privilege arising -
- a) a Member shall give written notice of the alleged breach to the Speaker as soon as reasonably practicable after the matter has come to his attention;
 - b) if the matter arises from a statement published in a newspaper, book or other publication, the Member shall provide the Speaker with a copy of the newspaper, book or publication;
 - c) the Speaker thereupon will determine as soon as practicable whether or not the matter merits precedence over other business;
 - d) if, in the opinion of the Speaker, the matter does not merit precedence, he will inform the Member, in writing, accordingly, and may also inform the House of his decision, and thereupon the matter lapses; and
 - e) if, in the opinion of the Speaker, the matter merits precedence, he will inform the House of his decision, and the Member who raised the matter may move a motion without notice forthwith to refer the matter to the Committee of Privileges.

CHAPTER IX

BUSINESS

Routine of Business

78. The House shall proceed each day with its ordinary business in the following routine:

- 1) Prayer
- 2) Condolences
- 3) Presentation of petitions
- 4) Giving of notices
- 5) Questions without notice (Not to exceed 60 minutes)
- 6) Answers to questions on notice
- 7) Presentation of papers
- 8) Statements, by leave
- 9) Matter of public importance
- 10) Messages and communications from the Administrator
- 11) Presentation of reports from standing and select committees
- 12) Notices and orders of the day

Messages from the Administrator may, if necessary, take precedence over all other matters.

79. Notwithstanding standing order 78, reports of standing or select committees and papers may be presented at any time when other business is not before the House.

80. The Business Committee may arrange the order of notices and orders of the day on the Notice Paper as it thinks fit.

Routine of business

Presentation of reports

Business Committee to arrange Notice Paper

Matter of Public Importance

81. A Member may propose to the Speaker that a definite matter of public importance be submitted to the House for discussion. The Member proposing the matter shall present to the Speaker at least 3 hours before the time fixed for the meeting of the House a written statement of the matter proposed to be discussed; and if the Speaker determines that it is in order, he shall read it the House. The proposed discussion must be supported by 3 Members, including the proposer, rising in their places as indicating approval. The Speaker shall then call upon the Member who had proposed the matter to speak.

Discussion of matter of public importance

82. At any time during the discussion, but not so as to interrupt a Member speaking, a motion may be made by any Member "that the discussion be now concluded" and unless it shall appear to the Chair that such motion is an abuse of the rules of the House, or an infringement of the rights of the minority, such motion shall be put forthwith and decided without amendment or debate, and, if agreed to, the business of the day shall be proceeded with immediately.

Motion that discussion be now concluded

83. In the event of more than one matter being presented for the same day, priority shall be given to the matter which, in the opinion of the Speaker, is the most urgent and important, and no other proposed matter shall be read to the House that day.

Speaker to decide priority

Leave of the House

84. Leave of the House must be granted without any dissentient voice.

Leave

CHAPTER X

PETITIONS

85. Petitions may be presented to the House by any Member:
Provided that -

Petitions

- a) every petition shall be respectful, decorous and temperate in its language, and shall not contain irrelevant statements;
- b) every petition shall be fairly written, typewritten, printed or reproduced by mechanical (or other) process, without interlineation or erasure;
- c) every petition shall contain a prayer at the end thereof;
- d) every petition shall be in the English language, or be accompanied by a translation certified to be correct by the Member who lodges it;
- e) every petition shall be signed by at least one person on the sheet on which the petition is inscribed;
- f) every petition shall be signed by the parties whose names are appended thereto, by their own hand, and by no one else, except in the case of incapacity by sickness. Persons unable to write shall affix their marks in the presence of a witness, who shall as such sign his name;
- g) every signature shall be written upon the petition or upon sheets containing the prayer of the petition, and not pasted upon or otherwise transferred thereto;

- h) petitions for presentation to the House can be lodged with the Clerk only by a Member, but a Member cannot lodge a petition from himself;
- i) every Member lodging a petition with the Clerk for presentation to the House shall sign his name at the beginning thereof; and
- j) every petition shall be lodged with the Clerk at least 3 hours before the time fixed for the meeting of the House at which it is proposed to present it; and when presented the petition must bear the Clerk's certificate that it is in conformity with the standing orders.

86. A Member presenting a petition shall confine himself to a brief statement of the persons from whom the petition comes, of the number of signatures attached to the petition, and of the purport of the prayer of the petition. No discussion of the subject matter of a Petition shall be allowed.

Presentation of petitions. No discussion

CHAPTER XI

NOTICES OF MOTION

87. Notice of motion shall be given by a Member by either stating its terms to the House and delivering a copy to the Clerk or delivering a copy of its terms to the Clerk. The notice must be signed by the Member and show the day proposed for moving the motion. **Notice of motion - how given**
88. A notice of motion which is given by delivering a copy of its terms to the Clerk during a sitting of the House shall be reported to the House by the Clerk at the first convenient opportunity and shall be entered by the Clerk on the notice paper. **Notices delivered to Clerk during sitting**
89. A notice of motion which is given by delivering a copy of its terms to the Clerk during an adjournment of the House shall, if such notice is received in time for it to appear on the Notice Paper for the next sitting, be entered by the Clerk on the Notice Paper accordingly. **Notices delivered to Clerk during adjournment**
90. A Member, in the absence of another Member and at his request, may give a notice of motion for that other Member and shall put the name of such Member and his own signature on the notice. **Notice given for an absent Member**
91. Subject to the provisions of standing orders 80, 88 and 89 the notices shall be entered by the Clerk on the Notice Paper, in priority of orders of the day, in the order in which they were given, except that 2 notices received from the same Member shall not be placed consecutively in priority of a notice received from another Member during the same sitting. **Order of notices**
Giving more than one notice
92. If a notice of motion is given which contains matters not relevant to each other, the Speaker may instruct the Clerk to divide such notice into 2 or more notices. **Notice may be divided**

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| 93. | Any notice of motion which, in the opinion of the Speaker, is too long, contains unbecoming expressions, or offends against any standing order of the House, shall be amended by the Speaker before it appears on the Notice Paper. | Amendment of notice by Speaker |
| 94. | The Speaker shall not allow any contingent notices of motion to appear on the Notice Paper. | No contingent notices |
| 95. | A Member who has given notice of motion may change the day proposed for moving the motion to a day subsequent to that first named by notifying the Clerk in writing prior to the calling on of the motion. The change of day shall be reported to the House by the Clerk at the first convenient opportunity. | Postponement of motion |
| 96. | A Member who has given a notice of motion may alter its terms by notifying the Clerk in writing within such time as will enable the alteration to be made in the Notice Paper. The alteration of terms shall be reported to the House by the Clerk at the first convenient opportunity. | Terms of notice altered |
| 97. | A Member who has given a notice of motion may withdraw the notice by notifying the Clerk in writing at any time prior to that proposed for moving the motion. | Withdrawal of notice |
| 98. | A notice of motion becomes effective only when it appears on the Notice Paper. | Operation of notice |

CHAPTER XII

QUESTIONS SEEKING INFORMATION

99. Notice of a question shall be given by a Member delivering it to the Clerk, and must be signed by the Member. **Notice of question**
100. Notice of a question shall, if such notice is received in time for it to appear on the Notice Paper for the next sitting, be entered by the Clerk on the Notice Paper accordingly. The Clerk shall place questions on notice on the Notice Paper in the order in which they are received by him. **Entered on Notice Paper**
101. The answer to a question on notice shall be given openly in the House. **Reply - how given**
102. Questions may be asked without notice, and, at the discretion of the Speaker, supplementary questions may be asked to elucidate an answer. **Questions without notice. Supplementary questions**
103. Questions may be put to a Member who is : **Putting of questions**
- a) an executive member or a Member having non-executive office responsibilities relating to public affairs with which he is officially connected, to proceedings pending in the House, or to any matter of administration for which he is responsible;
 - b) The House representative on any Board, Authority or other organisation, relating to any matter of public administration concerning that body;
 - c) the chairman of a standing or select committee, relating to any committee business; but not relating to proceedings of a committee not reported to the House; or
 - d) an office-holder, relating to any matter of administration for which he is responsible.

104. The following general rules shall apply to questions :

Rules for questions

- 1) Questions cannot be debated.
- 2) A question fully answered cannot be renewed.
- 3) The Speaker may direct that the language of a question be changed if it seems to him, unbecoming or not in conformity with the standing orders of the House.
- 4) Questions shall not contain-
 - a) statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated;
 - b) arguments;
 - c) inferences;
 - d) imputations;
 - e) epithets;
 - f) ironical expression; or
 - g) hypothetical matter
- 5) Questions shall not ask -
 - a) for an expression of opinion; or
 - b) for a legal opinion.

105. The following general rules shall apply to answers:

Answer to questions

- 1) In answering a question a Member shall not debate the subject to which it refers.
- 2) An answer shall be relevant to the question.
- 3) If, in the opinion of the Speaker, an answer is too long, he may direct the Member to cease speaking.

106. 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 on a substantive motion, and notice must be given of questions critical of the character or conduct of other persons.

Questions regarding persons

CHAPTER XIII

MOTIONS, QUESTIONS, VOTES AND RESOLUTIONS

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| 107. | No Member may, except by leave of the House, or unless it be otherwise provided by the standing orders, move any motion except in pursuance of notice appearing on the Notice Paper. | No motion without previous notice |
| 108. | If, at the adjournment of the House, any motions on the Notice Paper have not been called on, such motions shall be set down on the Notice Paper in the order agreed to by the Business Committee. | Motions not called on |
| 109. | Precedence will be ordinarily given by courtesy to a motion for a vote of thanks of the House or of condolence which may be moved without notice. | Precedence to vote of thanks |
| 110. | If a Member is not in his place when the notice of motion given by him is called on, it shall be withdrawn from the Notice Paper, unless the House orders the notice to be postponed. | Member absent when his motion called on |
| 111. | If a Member, when the notice of motion given by him is called on, fails to move the motion, it shall be withdrawn from the Notice Paper unless he thereupon fixes a future time for moving the motion. | Member failing to move |
| 112. | When a motion has been moved, a question thereupon shall be proposed to the House by the Speaker, and the motion shall be deemed to be in the possession of the House, and cannot be withdrawn without leave. | Question proposed by the Speaker |
| 113. | A matter on the Notice Paper must not be anticipated by another matter contained in a less effective form of proceeding. | Anticipation of business |
| 114. | A motion which has been superseded, or by leave of the House withdrawn, may be moved again. | Motions withdrawn again moved |

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| 115. | As soon as the debate upon a question has been concluded, the Speaker shall put the question to the House. | Question put |
| 116. | The House may order a complicated question to be divided . | Division of complicated question |
| 117. | A question being put shall be resolved in the affirmative or negative, by the majority of voices, “Aye” or “No”. | Questions determined by majority of voices |
| 118. | The Speaker shall state whether, in his opinion, the “Ayes” or the “Noes” have it; and if his opinion be challenged the question shall be decided by vote. | Speaker states result |
| 119. | The Speaker may, in his discretion, disallow any motion or amendment which is the same in substance as any question which, during the previous 12 months, has been resolved in the affirmative or negative, unless the resolution or vote on such question or amendment had been rescinded. | Same question may be disallowed |

CHAPTER XIV

AMENDMENTS

120. A question having been proposed may be amended - (a) by omitting certain words only; (b) by omitting certain words in order to insert or add other words; or (c) by inserting or adding words. **Amendment to motion amendments**
121. An amendment to any motion before the House must be in writing and signed by the mover; and a copy must be lodged with the Clerk at least 24 hours before the time fixed for the meeting of the House at which the motion is to be considered: Provided that an amendment may be permitted by leave of the Speaker, or to a motion for the recommittal of a bill. **Amendment to motion amended 2.5.84**
122. Amendments to a bill may only be proposed in the following instances: **Amendments to motion**
- a) those conveyed by message from the Administrator ;
 - b) those in writing, signed by the mover, and copies of which have been lodged with the Clerk at least 24 hours before the time fixed for the meeting of the House at which the bill is to be considered;
 - ba) those made on a recommittal of the bill; or
 - c) those permitted by leave of the Speaker. **Amended 2.5.84**
123. Every amendment to a motion must be relevant to the question which it is proposed to amend. **Relevancy of amendment**
124. Any amendment may be moved to any part of a bill, provided the same be within the title or relevant to the subject-matter of the bill, and be otherwise in conformity with the standing orders. **Admissible amendments**

125.	When an amendment has been moved, the Speaker shall put a question “That the amendment be agreed to” .	Form of question
126.	No amendment shall be moved which is inconsistent with a previous decision on the question.	Inconsistent amendment not to be moved
127.	An amendment proposed shall be disposed of before another amendment to the original question can be moved.	Order of moving amendments
128.	A proposed amendment may, by leave, be withdrawn .	Proposed amendment withdrawn
129.	Amendments may be moved to a proposed amendment as if such proposed amendment were an original question but the provisions of standing orders 121 and 122 relating to the lodgement of amendments shall not apply.	Amendments to proposed amendments
130.	When amendments have been made, the main question shall be put as amended.	Question as amended put
131.	When amendments have been moved but not made, the question shall be put as originally proposed.	When amendments moved but not made

CHAPTER XV

ORDERS OF THE DAY

132. An order of the day is a bill or other matter which the House has ordered to be taken into consideration on a particular day.

Order of the day defined

133. Orders of the day shall be dealt with in the order in which they appear on the Notice Paper. An order of the day may be postponed on motion without notice.

Precedence of orders of the day. Order postponed

134. If, at the adjournment of the House, any orders of the day on the Notice Paper have not been called on, such orders of the day shall be set down on the Notice Paper in the order agreed to by the Business Committee.

Orders of day not called on

135. An order of the day may, on motion without notice, be discharged from the Notice Paper.

Order discharged

CHAPTER XVI

VOTING

136. Whenever the Speaker states, on putting a question, that the “Ayes” or “Noes” (as the case may be) have it, his opinion may be challenged by a Member (a) requesting a call of the House or (b) requesting a call of the House in order to have his abstention recorded. **Vote called for**
137. Every Member shall vote in accordance with his voice (either “Aye” or “No” or “Abstain”) and his vote shall be so recorded. **Member to vote in accordance with voice**
138. A Member requesting a call of the House shall remain in his seat until after the House is called. **Member requesting call of House**
139. A Member who is a party to, or has a direct or indirect interest in, a contract made by or on behalf of the Commonwealth or the Administration under which goods or services are to be supplied to the Commonwealth or the Administration shall not take part in a discussion of a matter, or vote on a question, whether the matter or question relates directly or indirectly to that contract. Any question concerning the application of this standing order shall be decided by the House. **Pecuniary interest**
140. Before a call of the House is taken, the Clerk shall turn a 2-minute sand-glass, kept on the Table for that purpose, and the vote shall not be proceeded with until the lapse of the 2 minutes, as indicated by such sand-glass. **Sand-glass turned**
141. The Speaker may dispense with the requirement of standing order 140 if it is apparent to him that all Members who can be present are in the Chamber. **Standing order 140 may be waived**
142. When all the Members are in their places, the Speaker shall state the question and then direct the Clerk to call the House. **Question stated. Call of the House**
143. No Member shall be entitled to vote unless, when the Speaker states the question, he is in his seat. **No Member to vote unless present when question stated**

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| 144. | The Member presiding shall in all cases be entitled to vote . | Member presiding shall have deliberative vote |
| 145. | The Clerk shall then present the list to the Speaker, who will declare the result to the House. When the votes are equal the question shall pass in the negative. | Speaker declares result. Votes equal - question negative |
| 146. | While the House is being called Members may speak to a point of order arising out of or during the vote. | Point of order during vote |
| 147. | Should a point of order arise during a vote, it shall be decided by the Speaker. | Decision on point of order during vote |
| 148. | Lists of votes shall be recorded by the Clerk in the Minutes of Proceedings. | Vote lists recorded |
| 149. | In case of confusion or error concerning the numbers reported, unless the same can be otherwise corrected, the House shall proceed to another vote. | In case of error House again votes |
| 150. | If complaint be made to the House that a vote has been inaccurately reported, the Speaker may cause the record to be corrected. | Record corrected |

CHAPTER XVII

BILLS

151. A bill shall be initiated - **Initiation of a bill**
- a) by the House giving leave to bring in a bill, specifying its title;
 - b) by message from the Administrator; or
 - c) on the calling on of a notice of presentation.
152. The procedure on any bill transmitted to the House by the Administrator shall be in accordance with the standing orders: Provided that the questions on any such bill, other than a money bill, shall be proposed by the Chair. **Initiation - by message of Administrator**
153. After the Chair has read the message from the Administrator recommending the making of a money bill, an executive member shall present to the House a printed copy of the bill signed by him. **Initiation - money bill**
154. **Initiation on notice**
- a) Before introducing a bill a Member shall give to the House notice of his intention.
 - b) A Member shall give such notice either by stating its terms to the House and delivering a copy to the Clerk at the appropriate time or by delivering a copy of its terms to the Clerk.
 - c) A notice of intention to introduce a bill shall specify the title of the bill and the day for presentation and shall be signed by the Member.
 - d) Except by leave of the Speaker, a Member shall not give notice of intention to present a bill which has not been printed.

- e) On the calling on of the notice a Member shall present to the House a printed copy of the bill signed by him.
- f) The standing orders shall, to the necessary extent, be applied and read as if a notice of intention to present a bill were a notice of motion.

155. When a bill has been presented, the Member proposing the bill may move -

Motion for agreement in principle

- a) “That the bill be agreed to in principle”;
- or
- b) “That the motion ‘That the bill be agreed to in principle’ be made an order of the day for a later hour this day or for the next sitting”:

Provided that when a bill, other than a money bill, has been transmitted to the House by the Administrator any Member may move a superseding motion “That the bill be referred to a select or standing committee for consideration and report”.

156. The question “That the bill be agreed to in principle” shall not be determined by the House during the sitting at which the bill is first introduced, except in the case of a bill declared to be an urgent bill.

Agreement in principle to be determined at a later meeting

157. No amendment may be moved to the question “That the bill be agreed to in principle” except in the form of an amendment relevant to the bill, which does not anticipate an amendment which may be moved in the detail stage and does not propose the addition of words to the question.

Amendments to be relevant

158. If the Business Committee considers that a bill should be passed through all stages at one sitting of the House because -

Urgent bills

- a) hardship could be caused if it were not passed;
- b) it is necessary for administrative reasons that it should pass; or
- c) in its opinion there is no valid reason for delaying the bill,

the bill shall thus be declared urgent and its passage expedited.

159. After the bill has been agreed to in principle it may be moved “that the bill be referred to a select or standing committee” or “that the detail stage be later taken”, but otherwise the House shall forthwith proceed to the detail stage unless the House grants leave to dispense with the detail stage.

Proceedings following agreement in principle

160. When a bill has been referred to a select or standing committee in pursuance of standing order 155 or 159 and reported, the House shall forthwith proceed to the detail stage for the consideration of the bill as reported, unless the House grants leave to dispense with the detail stage.

Proceedings following reference to standing or select committee

161. At the detail stage the title and the preamble stand postponed without question proposed, and the clauses shall be considered in their order, a question being proposed by the Speaker on each clause “That the clause be agreed to”.

Title and preamble stand postponed. Clauses considered

162. The following order shall be observed in considering a bill and its title:

Order in considering bill

- a) Clauses as printed and new clauses, in their numerical order.
- b) Schedules as printed and new schedules, in their numerical order.
- c) Postponed clauses (not having been specially postponed until after certain other clauses).
- d) Preamble.
- e) Title.

And in any reconsideration of the bill the same order shall be followed as far as possible: Provided that -

- a) in considering an Appropriation or Supply Bill, any schedule expressing the services for which the appropriation is to be made shall be considered before the clauses and, unless the House otherwise orders, that schedule shall be considered by proposed expenditures in the order in which they are shown; and
- b) in considering a bill to impose taxation, any schedule shall be considered before the clauses.

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| 163. | The debate shall be confined to the clause or amendment before the House. | Relevancy of debate |
| 164. | If a clause is amended, a further question shall be proposed, "That the clause, as amended, be agreed to". | Clause put as amended |
| 165. | A clause, or a clause which has been amended, may be postponed. | Clause may be postponed |
| 166. | If any amendment has been made in the bill necessitating an amendment of the title, such title shall be amended, and a question proposed, "That the title, as amended, be the title of the bill". | Amendment of title |
| 167. | No amendment or new clause or schedule shall be at any time moved which is substantially the same as one already negatived or which is inconsistent with one that has been already agreed to unless a recommittal of the bill has intervened. | Amendment inadmissible if contrary to previous decision |
| 168. | When the detail stage has been completed, any Member may move "That the bill (as amended) be agreed to". | Agreement to bill |

169. A motion for the recommittal of a bill for the reconsideration of -

Recommittal

- a) the whole bill;
- b) a particular clause or clauses;
- c) a particular schedule or schedules;
- d) the preamble; or
- e) the title,

may be moved **without notice** as a motion superseding the question "That the bill (as amended) be agreed to".

amended 2.5.85

170. Amendments falling within any of the following classes of amendments may be made, on the authority of the Speaker, to a bill which has been agreed to before it is presented for assent:

Formal amendments after passage

- a) amendments of a formal nature necessary or desirable to any or all of the long title, the short title and the method of citation;
- b) amendments correcting clerical, grammatical or typographical errors and other amendments of a verbal or formal nature; and
- c) amendments to the citation of another law.

171. After a bill has been agreed to, a copy certified by the Clerk as a true copy of the bill agreed to by the House, shall be presented by the Speaker to the Administrator for assent.

Bill certified by Clerk and presented to Administrator

172. A bill referred to the House by message of the Administrator under section 26 of the *Norfolk Island Act 1979* shall be returned by the Speaker to the Administrator for assent duly certified by the Clerk: Provided that, if amendments have been agreed to, the bill shall be accompanied by a schedule of such amendments, duly certified by the Clerk.

Bill from Administrator (and any amendments) to be certified by Clerk

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| 173. | Where a bill which originated in the House is returned together with amendments recommended by the Administrator or the Governor-General, the bill and the amendments shall be considered at the detail stage. | Administrator's or Governor-General's amendments |
| 174. | No amendment may be moved to an amendment of the Administrator or Governor-General that is not relevant thereto; nor may an amendment be moved to the bill unless the same be relevant to, or consequent upon, either the acceptance or the rejection of an amendment of the Administrator or Governor-General. | Relevancy of amendment to Administrator's or Governor-General's amendment |
| 175. | The amendments made by the Administrator or Governor-General shall be agreed to either with or without amendments, or disagreed to | How disposed of |
| 176. | When the bill, or the bill as amended, has been agreed to by the House, it shall be certified by the Clerk as a true copy and shall be presented to the Administrator for assent. | Presentation |

CHAPTER XVIII

FINANCIAL PROCEDURES

177. An enactment, vote, resolution or question, the object or effect of which is to dispose of or charge any public moneys of the Territory, shall not be proposed unless it has, at any time after the last preceding general election, been recommended by message of the Administrator. No amendment of such proposal shall be moved which would increase, or extend the objects and purposes or alter the destination of, the recommendation unless a further message is received.

Proposal of money votes

178. A proposal for the imposition, or for the increase, or alleviation, of a tax or duty, or for the alteration of the incidence of such a charge, shall not be made except by an executive member. The proposal may be submitted without notice. No Member, other than an executive member, may move an amendment to increase, or extend the incidence of, the charge defined in that proposal unless the charge so increased or the incidence of the charge so extended shall not exceed that already existing by virtue of any law of the Territory.

Taxation proposals to be initiated only by an executive member

CHAPTER XIX

REGULATIONS

179. On any regulation being laid before the House in accordance with sub-section 67(2) of the *Norfolk Island Act 1979*, the Speaker shall propose the question “That the regulation be approved”, and debate may proceed forthwith: Provided that, on the question being proposed, any Member may move -

**Consideration by
House**

- a) That the regulation be referred to a select or standing committee for consideration and report; or
- b) That consideration of the regulation be made an order of the day.

CHAPTER XX

COMMUNICATION WITH ADMINISTRATOR

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| 180. | Every message from the House to the Administrator shall be signed by the Speaker or Deputy Speaker, and delivered by the Speaker, Deputy Speaker or the Clerk. | Messages to be signed
by Speaker or Deputy
Speaker |
| 181. | It shall be in order at any time to move, without notice, that any resolution of the House be communicated by message to the Administrator. | Motion to
communicate
resolution to
Administrator |
| 182. | A message from the Administrator shall be announced to the House by the Speaker, but not during a debate, or so as to interrupt a Member speaking. | Message from
Administrator
announced |
| 183. | On a message from the Administrator being reported to the House, a Member may move without notice any of the following motions:

a) A motion relevant to the subject matter of the message;

b) that the House take note of the message;

c) that the message be referred to a standing or select committee for inquiry and report; or

d) That consideration of the message be made an order of the day for a later hour or for a subsequent sitting. On the order of the day being read a Member may move without notice any of the above motions: | Motions on
presentation of
message |

Provided that proceedings on a bill transmitted by message shall be as otherwise provided in the standing orders.

184. A message from the Administrator recommending an appropriation for the purpose of a bill shall be announced before the bill to which it relates is brought in.

Message announced for bill

185. A message from the Administrator recommending an appropriation for the purposes of an amendment to be moved to a bill shall be announced before the amendment is moved.

Message announced for amendment

CHAPTER XXI

INSTRUCTIONS TO COMMITTEES

186. An instruction empowers a committee to consider matters not otherwise referred to it.
187. No instructions can be given to a committee to do that which it is already empowered to do, or to deal with a question beyond the scope of a bill as agreed to in principle.
188. An instruction to a select or standing committee extending or restricting the order of reference may be moved, after notice, on any day prior to the report of the committee.

Effects of an instruction

What instruction may be moved

Instructions to select committee

CHAPTER XXII

DISORDER

189. If any Member has - **Disorder by Member**
- a) persistently and wilfully obstructed the business of the House;
 - b) been guilty of disorderly conduct;
 - c) used objectionable words, which he has refused to withdraw;
 - d) persistently and wilfully refused to conform to any standing order; or
 - e) persistently and wilfully disregarded the authority of the Chair -
- he may be named the Speaker.
190. The Speaker shall forthwith put the question, no amendment, adjournment, or debate being allowed, "That such Member be suspended from the service of the House". **Proceedings following naming**
191. If any Member be suspended under standing order 190, his suspension on the first occasion shall be for 2 sitting hours; and on any subsequent occasion during the same year for 3 sitting hours. For the purposes of this standing order, any suspension in a previous year shall be disregarded, and "year" means a year commencing on the first day of January and ending on the thirty-first day of December. **Period of suspension**

192. When the conduct of a Member is of such a grossly disorderly nature that the procedures provided would be inadequate to ensure the urgent protection of the dignity of the House, the Speaker shall order the Member to withdraw immediately from the Chamber and the officers of the House shall act on such orders as they receive from the Chair in pursuance of this standing order. When the Member has withdrawn he shall forthwith be named by the Speaker and the proceedings shall then be as provided in standing orders 190 and 191.

Speaker may order disorderly Member to withdraw

Member to be named

If the question for the suspension of the Member is resolved in the negative, he may forthwith return to the Chamber.

193. A Member who has been suspended from the service of the House shall be excluded from the Chamber and all galleries thereof.

Member suspended excluded from Chamber

194. In the case of grave disorder arising in the House, the Speaker may adjourn the House without question put, or suspend any sitting for a time to be named by him.

Speaker may adjourn House or suspend sitting in case of grave disorder

195. When, in the opinion of the Speaker, a person other than a Member behaves in an offensive or disorderly manner or otherwise disrupts the proceedings of the House, the Speaker may require such person to leave the Chamber and its precincts and may request any member of the Police Force to remove such person from the Chamber and its precincts.

Disorderly person may be removed

CHAPTER XXIII

PAPERS AND DOCUMENTS

196. Papers may be presented by the Speaker or an executive Member.

Papers presented

197. Unless otherwise ordered all papers and documents presented to the House may be inspected at the offices of the House by Members and, with permission of the Speaker, by other persons.

Papers may be inspected

198. A document quoted from by a Member, may be ordered by the House to be laid upon the Table; such order may be made without notice immediately upon the conclusion of the speech of the Member who has quoted therefrom.

Quoting documents

199. On any paper being presented to the House as provided in this chapter a Member may move without notice any of the following motions:

Motions on paper

- a) “That the paper be printed”;
- b) “That the House take note of the paper”; and
- c) “That the paper be referred to a standing or select committee for inquiry and report”:

Provided that if the motions are not moved at the time of the presentation of the paper, they may be moved, on notice, on a subsequent day.

CHAPTER XXIV

SELECT COMMITTEES

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| 200. All select committees shall be appointed on motion, and shall, unless otherwise ordered, consist of 3 Members to be nominated: Provided that a Member may decline nomination and that if more Members are nominated than are required the House shall proceed to ballot. | Appointment |
| 201. Members may be discharged from attending a committee, and other Members nominated and elected. | Member discharged and added |
| 202. No Member may sit on a committee if he is a party to, or has a direct or indirect interest in, a contract made by or on behalf of the Commonwealth or the Administrator under which goods or services are to be supplied to the Commonwealth or the Administration, where the inquiry of such committee relates directly or indirectly to that contract. | No interested Member to be on committee |
| 203. On the appointment of every committee, a day may be fixed for the reporting of its proceedings to the House, by which day the final report of the committee shall be brought up by the chairman, unless further time be moved for and granted; but the House may at any time prior to such day receive the final report of the committee. | Report of committee |
| 204. In all committees, a majority of the Members of the committee shall form a quorum, unless otherwise ordered; and, if at any time the quorum be not present, it shall be incumbent on the chairman to suspend the proceedings of the committee until a quorum be present, or to adjourn the committee. | Quorum in committees |
| 205. If, after the lapse of 15 minutes from the time appointed for the meeting of a committee, there is not a quorum, the members present may retire, and their names shall be entered on the minutes; and the clerk attending the committee shall issue notices for the next meeting. | No quorum at time of meeting |

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| 206. | The mover of the motion for the committee, if a member thereof, may fix the time for the first meeting of the committee and if not the clerk shall fix the time. | First meeting |
| 207. | Every committee, before the commencement of business, shall elect one of its members to be chairman, who shall have a deliberative vote only. | Chairman appointed; deliberative vote |
| 208. | An entry shall be made in the minutes of proceedings of the names of the members attending each committee meeting, and of every motion or amendment moved in the committee, together with the name of the mover thereof; and if any vote takes place in the committee the clerk shall record the names of the members voting, distinguishing on which side of the question they respectively vote. | Records of proceedings and votes |
| 209. | A committee may adjourn from time to time and, by order of the House, from place to place, but may not sit during any sitting of the House. | Adjournment and sitting of committees |
| 210. | The House may give a committee power to send for persons, papers and records. | Power to send for persons, etc. |
| 211. | The committee may determine the procedure to be followed on the examination of witnesses; otherwise the examination of witnesses shall be conducted in the manner determined by the chairman. | Examination of witnesses |
| 212. | When a committee is examining witnesses, visitors may be admitted, but shall be excluded at the request of any member, or at the discretion of the chairman of the committee, and shall always be excluded when the committee is deliberating and when it is receiving evidence under the Legislative Assembly (Register of Members' Interests) Act 2004. | Admission of visitors – Amended 29.09.05 |
| 213. | Subject to standing order 214, Members of the House, not being members of the committee, may be present at meetings except when the Committee is receiving evidence under the Legislative Assembly (Register of Members' Interests) Act 2004. | Admission of other Members – amended 29.09.05 |

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| 214. | The Committee may exclude Members, other than Members of the Committee, when – | Exclusion of other Members – amended 29.09.05 |
| | a) the House so authorises; or | |
| | b) it is receiving evidence under the Legislative Assembly (Register of Members’ Interests) Act 2004.” | |
| 215. | The evidence taken by any committee of the House and documents presented to and proceedings and reports of such committee, which have not been reported to the House, shall not, unless authorised by the House, be disclosed or published by any member of such committee, or by any other person. | Evidence not to be disclosed |
| 216. | A committee may make interim reports from time to time . | Interim reports |
| 217. | It shall be the duty of the chairman of every committee to prepare a draft report. | Chairman to prepare report |
| 218. | The chairman shall present to the committee, at a meeting convened for the purpose, the whole of his draft report, which may at once be considered. The committee shall consider the report paragraph by paragraph and the chairman shall propose the question at the end of each paragraph - “That the paragraph be agreed to”. A Member objecting to any portion of the report shall move his amendment at the time the paragraph he wishes to amend is under consideration. A protest or dissent may be added to the report. | Consideration of draft report |
| 219. | If any Member, other than the chairman, submits a draft report to the committee, the committee shall first decide upon which report it will proceed. | Alternative draft report |
| 220. | After the draft report has been considered, the whole or any paragraph thereof may be reconsidered and amended. | Reconsideration |
| 221. | Upon the presentation of a report to the House, the chairman or any other Member may move without notice: | Motions on presentation |
| | a) “That the report be noted”; | |
| | b) “That the recommendation(s) be adopted (or agreed to)”; | |

- c) “That the report be adopted”; or
- d) “That consideration of the report be made an order of the day for the next sitting” (when a specific motion without notice in connection therewith may be moved).

CHAPTER XXV

WITNESSES

222. The Speaker may, acting on his own authority or upon the request in writing of any Member of the House, and shall, upon the request of the House or any committee thereof, expressed by resolution, request the attendance of any officer of the Norfolk Island Public Service, the Australian Public Service or of any Statutory Authority for the purpose of assisting the House or any committee thereof in the discussion of any question before the House or any of its committees of which question the officer has expert knowledge.
223. Witnesses, not being Members, shall be ordered to attend before the House, or before a select or standing committee, by summons under the hand of the Clerk or the clerk attending the committee as the case may be.
224. If a witness fails or refuses to attend or to give evidence, the House on being acquainted therewith, shall deal with the matter.
225. When the attendance of a Member is ordered by the House for examination by the House, he shall be summoned by the Speaker to attend in his place.
226. If a committee desires the attendance of a Member as a witness, the chairman shall, in writing, request him to attend; but should he refuse to come, or to give evidence or information as a witness to the committee, the committee shall acquaint the House therewith, and not again request such Member to attend the committee.
227. If any information comes before any committee that makes a charge against any Member of the House, the committee may direct that the House be acquainted with the matter of such information, without proceeding further thereon.
228. When a witness is in the custody of the keeper of any prison, such keeper may be ordered to bring the witness in safe custody for examination, and from time to time as often as his attendance is thought necessary.

Co-option of experts

Summoning of witnesses

Recusant witness

Summoning of Members

Refusal of Member to attend committee

Committee not to entertain charges against Members

When intended witness is in prison

- | | | |
|------|--|--|
| 229. | All witnesses examined before the House, or any committee thereof, are entitled to the protection of the House in respect of anything that may be said by them in their evidence. | Witnesses entitled to protection |
| 230. | When the witness appears before the House he shall be examined by the Speaker, and any questions addressed by Members are taken to be put through the Speaker. | Witnesses before House examined by Speaker |
| 231. | If any question be objected to, or other matter arise, the witness shall withdraw while the same is under discussion. | Witness withdraws if question objected to |
| 232. | A Member of the House shall be examined in his place . | Member examined in his place |
| 233. | No officer of the House or person employed by the House may give evidence elsewhere in respect of any proceedings or examination of any witness without the special leave of the House | Officers not to give evidence without leave |

CHAPTER XXVI

BALLOTING

234. A ballot shall be taken whenever the House thinks fit . **When ballot taken**
235. Before the House proceeds to any ballot, the sand-glass shall be turned for 2 minutes as for a vote. **Sand-glass turned prior to ballot**
236. Unless otherwise expressly provided, a ballot shall be taken in the following manner: Each Member present shall give to the Clerk a list of the names of such Members as he may think fit and proper to be chosen at such ballot; and if any list contains a larger or lesser number of names than are to be chosen it shall be void and rejected. And when all the lists are collected, the Clerk shall ascertain and report to the Speaker the names of the Members having the greatest number of votes, which Members shall be declared to be chosen. In the event of an equality of votes, the names of the Members concerned shall be submitted to a further ballot. **Manner of taking ballot**

If again there shall be an equality of votes, the Clerk shall determine, by lot, which of the candidates, having the same number of votes, shall be withdrawn, as if that candidate had obtained the lesser number of votes.

CHAPTER XXVII

ADDRESSES TO THE QUEEN, THE GOVERNOR-GENERAL OR THE ADMINISTRATOR

- | | |
|---|--------------------------------------|
| 237. Whenever it be deemed proper to present an address to Her Majesty, the Governor-General or the Administrator, the same shall be moved without notice. | How moved |
| 238. Addresses to Her Majesty shall be transmitted to the Administrator by the Speaker, who shall request His Honour to cause the same to be forwarded for presentation through the Governor-General. | Addresses to the Queen |
| 239. Addresses to the Governor-General shall be transmitted to the Administrator by the Speaker, who shall request His Honour to cause the same to be forwarded for presentation. | Addresses to Governor-General |
| 240. Addresses to the Administrator shall be presented by the Speaker, unless the House otherwise orders. | Addresses to Administrator |
| 241. When an address is ordered to be presented by the whole House, the Speaker, with the House, shall proceed to such place as the Administrator may appoint, and being admitted to the Administrator's presence, the Speaker shall read the address to the Administrator, the Member who moved such address being on his left hand. | When presented by whole House |
| 242. The answer to any address shall be reported by the Speaker . | Answer to Address |

CHAPTER XXVIII

EXECUTIVE OFFICES AND MEMBERS

243. As soon as practicable after the opening of a new House, and from time to time as necessary, the House shall, on motion duly moved without notice by any Member -
- a) pursuant to section 12 of the *Norfolk Island Act 1979*, determine by resolution the number of executive offices and their respective designations; and
 - b) pursuant to section 13 of the *Norfolk Island Act 1979*, choose the Members it proposes for executive office, and so advise the Administrator.

Executive offices and members

CHAPTER XXIX

STANDING ORDERS

Suspension

244. In cases of necessity, any standing order or order of the House may be suspended, on motion, duly moved, without notice: Provided that such motion is carried by not less than 6 Members.

**Motion for suspension
without notice**

245. **DELETED**

246. The suspension of standing orders is limited in its operation to the particular purpose for which such suspension has been sought.

**Limitation of
suspension**

Duration

247. The whole of these standing orders shall continue in force until altered, amended, or repealed.

In force until altered

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