

## Appendix G: Standing Orders of the Legislative Council and Legislative Assembly (1891)

(Source: Standing Rules and Orders for Regulating the Proceedings of the Houses of Parliament: Perth: Authority: Richard Pether, Government Printer, 1891).

### Legislative Council — Select Committees (pp. 50-54)

Adopted 10 February 1891

Approved by Governor, 13 February 1891.

#### Chapter XXIII—SELECT COMMITTEES

**To Consist of three Members** 303. All Select Committees shall, unless the Council shall otherwise direct, consist of three Members, whereof the mover shall be one; and in the case the President or Chairman of Committees shall be elected to serve on a Select Committee and shall decline so to do, a Member or Members, as the case may require, shall be elected instead, in the same manner as the other Members were elected.

**Bells rung prior to ballot** 304. Before the council proceeds to ballot for a Select Committee, the bells shall be rung as for a division.

**How elected** 305. Select Committees shall be formed in the manner following—Each member present shall give to the Clerk a list of the names of such two Members, exclusive of the mover of the motion as he may think fit and proper to be upon such Committee; and when all lists are collected, the Clerk, together with the mover and one other Member to be named by the President, shall ascertain and report to the President the names of the two members having the greatest number of votes; which two Members, together with the mover of the motion; shall compose such Committee. In case of a tie between two or more Members, the President shall determine by lot which shall be chosen. If any such list contain a larger or lesser number of names, it shall be void and rejected.

**No interested Member can sit** 306. No Member shall sit on a Select Committee who shall be directly interested in the inquiry before such Select Committee.

**Members discharged or added, to be named** 307. Members may be discharged from attending a Select Committee, and other Members appointed, previous notice having been given.

**Members discharged or added, to be named, &c** 308. Any notice of motion for discharging or adding members of Select Committees, shall contain the names of the members proposed to be discharged; but the Members to be added or substituted shall be elected by ballot.

**Bringing up report** 309. On the appointment of every Select Committee, a day shall be fixed for the reporting of their proceedings to the Council, and on such day the final report of the Committee shall be brought up by the Chairman, unless further time be moved for and granted. Provided that it shall always be competent for the Chairman, unless further time be moved for and granted. Provided that it shall always be competent for the Chairman to bring up the report whenever the Committee has concluded its proceedings.

**Power to send for persons and records, &c** 310. Whenever it may be necessary, the Council may give a Select Committee power to send for persons, papers and records.

**Lists to be posted** 311. Lists of all Select Committees shall be affixed in some conspicuous place in the Lobby and Clerk's office.

**First meeting** 312. The mover for the Select Committee shall fix the time for its first meeting.

**Quorum** 313. In all Select Committees two shall form a quorum and if at any time the necessary 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 to some future day.

**Chairman to have only a casting vote** 314. The Select Committee, previous to the commencement of business, shall elect one of its Members to be Chairman, who shall only have a casting vote.

**Records of proceedings and divisions** 315. The names of the Members attending each meeting shall be entered in the minutes of proceedings of the Select Committee, as also every motion or amendments proposed in the Committee, together with the name of the mover thereof; and if any division take place, the Chairman shall take down the names of the members voting in any such division, distinguishing on which side of the question they respectively vote.

**When no meeting takes place** 316. If after the lapse of a quarter of an hour from the time appointed for the meeting of a Select Committee, there shall not be a quorum, the Members present may retire after entering their names on the minutes; and the Clerk of the Committee shall convene a meeting for the next day on which the Council sits for business.

**Adjournment and sitting** 317. A Select Committee may adjourn from time to time, and by leave of the Council, from place to place; and may sit on those days over which the Council is adjourned.

**Committees to suspend business on President taking the Chair** 318. All Select Committees sitting at the time the President is about to take the Chair; shall be informed by the Usher of the Black Rod that the President is about to take the chair; and all proceedings after such notice shall be null and void.

**Not to sit when Council is sitting** 319. Except by leave for the Council, no Select Committee may sit during the sittings of the Council.

**Report from time to time** 320. By leave of the Council, a Select Committee may report its opinions or observations from time to time, or report the Minutes of Evidence only, or its proceedings from time to time.

**Clerk of the Council to summon witnesses** 321. The Chairman of the Select Committee shall direct the Clerk of the Council to summon the witnesses to be examined before such Committee.

**Examination of witnesses** 322. The examination of witnesses before every Select Committee shall be conducted as follows, viz-The Chairman shall first put to the witness, in an uninterrupted series, all such questions as he may deem essential, with reference either to the subject referred to the Committee, or to any branch of that subject, according to the mode of procedure agreed on by the Committee. The Chairman shall then call on the other members severally, in the order of their sitting, to put any other questions they may think fit; and the name of every Member so interrogating a witness shall be noted and prefixed to the questions asked. All replies to questions put shall be in writing; but if the Committee be attended by a short-hand writer, the notes of such short-hand writer shall be sufficient.

**Admission of strangers** 323. When a Select Committee is examining witnesses, strangers may be admitted, but shall be excluded at the expense of any Member, and shall always be excluded when the Committee is deliberating.

**Admission of other Members** 324. Members of the Council may be present when a Select Committee is examining witnesses: but shall withdraw when the Committee is deliberating.

**Secret Committees** 325. No strangers, or Members not being of the Select Committee, shall be admitted at any time to a Secret Committee.

**Evidence not to be disclosed** 326. The evidence taken by any Select Committee and documents presented to such Committee, which have not been reported to the Council, shall not be disclosed, or published by any Member of such Committee, or by any other person.

**Chairman to prepare report** 327. It shall be the duty of the Chairman of every Select Committee to prepare the report.

**Consideration of draft report** 328. the Chairman shall read to the Committee, which shall be convened for the purpose of considering the report, which if desired by any Member, shall be printed and circulated amongst the Committee, and a subsequent day fixed for its consideration; and when the Committee are desirous of taking the report into consideration, the Chairman shall read the draft report paragraph by paragraph, putting the question to the Committee at the end of each paragraph—"That this paragraph stand part of the report". A Member objecting to any portion of the report shall propose his amendment at the time the paragraph he wishes to amend shall be under consideration.

**Chairman to sign report** 329. Every report of a Select Committee shall be signed by the Chairman thereof.

**Report brought up** 330. the report of a Select Committee shall be brought up by the Chairman, and may be ordered to be printed with the documents accompanying it.

**Without discussion** 331. Upon the presentation of a report no discussion shall take place; but the report may be ordered to be printed with the documents accompanying it.

**Subsequent proceedings to be by notice** 332. If any measure or proceeding be necessary upon a report of a Select Committee, such measure or proceeding shall be brought under consideration of the Council by a specific motion, of which notice must be given in the usual manner.

**Payment of witnesses before Committees** 333. Every Select Committee shall have power to award payment to any professional or other witnesses they may deem it necessary to employ in furtherance of the inquiry with which the Committee is charged; and the Chairman's certificate on the face of an account shall be sufficient authority for its payment by the Clerk of the Council, or at the Public Treasury; and every such award, with the sum awarded, the particulars of the services rendered, and the name of the party in whose favour made, shall be entered in the Minutes of Proceedings of the Committee.

### Legislative Assembly — Select Committees (pp.52-55)

Adopted by Legislative Assembly, 2nd February 1891.

Approved by Governor, 5th February 1891.

#### CHAPTER XXIII—SELECT COMMITTEES

**Five Members to form a Select Committee** 330. All select committees shall, unless the House shall otherwise direct, shall otherwise direct, consist of five members whereas one shall be the mover.

**Speaker Member of certain committees only** 331. The Speaker was to ex officio a Member of the Standing Orders Committee, Refreshment Committee, Printing Committee and Library Committee, and not liable to be elected on any other committee unless he thought it fit and the House so desire.

**Bells rung prior to ballot** 332. Before the House proceeds to ballot for a Select Committee, the bells shall be rung as in a Division.

**Manner of appointing Select Committees** 333. Select committees shall be formed in the following manner:-Each member present shall give to the Clerk a list of names of any four members, not including the mover, whom he may think fit and proper to be upon such Committee; and if any list contain a larger or lesser number of names, it shall be void and rejected. And when all the lists are collected, the Clerk with the Mover acting as scrutineer, shall ascertain and report to the Speaker, the names of the four Members having the greatest number of votes, which four Members, together with the Mover, shall compose such Committee. In case of doubt arising from two or more Members having an equality of votes, the Speaker shall determine which shall be chosen, provided that if the number of the Committee be increased beyond five, the number in this order mentioned shall in a like manner be increased. The Clerk and the mover (who was to act as the scrutineer) with the names of the four members with the greatest number of votes (and the mover) was to comprise the Committee. In the case of doubt arising from two members with the same number of votes, the Speaker was to determine who shall be chosen, provided that if the number of the Committee be increased beyond five, the number in this order mentioned shall in a like manner be increased.

**No interested Member to be on a Committee** 334. No Member shall sit on a Select Committee who shall be personally interested in the inquiry before such Committee.

**Members discharged and added** 335. Members may be discharged from attending a Select Committee, and other Members appointed, after previous notice had been given.

**Bringing up Report** 336. Upon appointment of every Committee a date was to be fixed for reporting of its proceedings.

**First meeting** 337. The Mover of the Committee was to fix the time for the first meeting of the Committee.

**Quorum in Select Committees** 338. In all Select Committees two Members were required for a quorum and three to pass resolutions; and if at any time the necessary Quorum be not present, it shall be incumbent on the Chairman to adjourn the Committee. the necessary a lapse of a quarter of an hour a quorum was not present the Members could retire after entering their names on the Minutes; and the Clerk shall convene a meeting for the next day the Committee.

**Chairman to have only casting vote** 339. Every Committee, previous to the commencement of business, shall elect one of its Members to be Chairman, who shall only have a casting vote.

**Record of Proceedings and Divisions** 340. An entry shall be made in the Proceedings of the names of the Members attending each Committee meeting, and every Motion or Amendment, together with the name of the Mover thereof; and if any division takes place in the Committee, the Chairman shall take down the names of the Members voting in any such Division, distinguishing on which side of the question they respectively vote.

**When no meeting takes place** 341. If after the lapse of a quarter of an hour from the time appointed for a Select Committee, there shall not be a Quorum, the Members present may retire, after the entering their names in the Minutes; and the Clerk shall convene a meeting for the next day the Committee is authorised to sit.

**Quorum Not Present** 342. If at any time during the sitting of a Select Committee of the House the Quorum of Members fixed by the House be not present, the Clerk of the Committee shall call the attention of the Chairman to the fact, who shall thereupon suspend the proceedings of the Committee until a quorum be present, or adjourn the Committee to some future day.

**Adjournment of Committee** 343. A Select Committee may adjourn from time to time, and by leave of the House, from place to place; and may by leave sit on those days over which the House is adjourned.

**Committees to suspend business on Speaker taking Chair** 344. All Committees sitting at the time the Speaker is about to take the Chair, shall be informed by the Sergeant-at-Arms that the Speaker is about to take the Chair; and all proceedings after such notice shall be null and void.

**Report from time to time** 345. By leave of the House, a Committee may report its opinions or observations from time to time, or report the Minutes of Evidence only, or Proceedings from time to time.

**Power to send for persons and records** 346. Whenever it may be necessary, the House may give a Committee power to send for persons, papers, and records.

**Clerk to Summon Witnesses** 347. The Chairman of a Select Committee shall direct the Clerk of the Clerk of the House to summon the Witnesses to be examined before such Committee.

**Examination of Witnesses** 348. The examination of Witnesses before every Select Committee shall be conducted as follows:-the Chairman shall first put to the Witness, in an uninterrupted series, all such Questions as he may deem essential, with reference either to the subject referred to, or any branch of that subject, according to the mode of procedure agreed on by the Committee. The Chairman shall then call on the other members severally by name to put any other Questions which may have occurred to them during his conduct of the examination; and the name of every Member so interrogating a Witness shall be noted and prefixed to the Questions asked. All replies to Questions put shall be take down in writing; but if the Committee be attended by a short-hand writer, the notes of such short-hand writer shall be sufficient.

**Admission of Strangers** 349. When a Committee is examining Witnesses, Strangers 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.

**Admission of Other Members** 350. Members of the House may be present when a Committee is examining Witnesses; but withdraw by courtesy when the Committee is deliberating.

**Secret Committees** 351. No Strangers, or Members not being of the Committee, shall be admitted at any time to a Secret Committee.

**Evidence not to be disclosed** 352. Evidence taken by any Select Committee of the House, and documents presented to such Committee which have not been reported to the House, shall not be disclosed or published by any Member of such Committee, or by any other person.

**Chairman to prepare Report** 353. It shall be the duty of the Chairman of every Select Committee to prepare the Report.

**Consideration of Draft Report** 354. The Chairman shall read to the Committee conveyed for the purpose of considering the Report, the whole of his Draft Report, which if desired by any Member, shall be printed and circulated amongst the Committee, and at a subsequent day fixed for its consideration; and when the Committee are desirous of taking the Report into consideration, the Chairman shall read the Draft Report, paragraph by paragraph, putting to the Committee at the end of each paragraph-“That it do stand part of the Report”. A Member objecting to any portion of the Report shall propose his Amendment at the time the paragraph he wishes to amend shall be under consideration.

**Chairman to sign report** 355. Every Report of a Committee shall be signed by the Chairman thereof.

**Report brought up** 356. The Report of a Committee shall be brought up by the Chairman, or by some other member of and appointed by the Committee for the purpose, and may be ordered to be printed with the documents accompanying it.

**Without discussion** 357. Upon the presentation of a Report no discussion shall take place; but the Report may be ordered to be printed with the documents accompanying it.

**Motion for subsequent proceedings** 358. If any measure or proceeding be necessary upon a Report of a Committee, such measure or proceeding shall be brought under the consideration of the House by a specific Motion, of which notice must be given in the usual manner.

**Payments of certain Witnesses before Committees** 359. Every Select Committee shall have power to award reasonable payment to any professional or other Witnesses they may deem it necessary to employ in furtherance of the inquiry with which the Committee is charged; and the Chairman’s certificate on the face of an account shall be sufficient authority for its payment by the Clerk of the House, or at the Public Treasury; and every such award, with the sum awarded, the particulars of the services rendered, and the name of the party in whose favour made, shall be entered in the Minutes of the Proceedings of the Committee.

**Lists of Members serving** 360. List of all Select Committees shall be affixed in some conspicuous place in the Lobby and Clerk’s Office.

## Legislative Council — Sessional Committees (pp.56-57)

### CHAPTER XXVI—SESSIONAL COMMITTEES

**Standing Orders Committee** 362. A Standing Orders Committee, to consist of the President and two Members, unless the Council shall otherwise decide, to be chosen by ballot, if the Council so direct, shall be appointed at the commencement of each session, with the power to act during Recess, and to confer with a similar Committee of the Legislative Assembly.

**Library Committee** 363. A Library Committee, to consist of the President and two Members, unless the Council shall otherwise direct, to be chosen by ballot, if the Council so determine, shall be appointed at the commencement of each Session, with power to act during the Recess, and to confer with a similar Committee of the Legislative Assembly.

**House Committee** 364. A house Committee, to consist of the President and two Members, unless the Council so determine, shall be appointed at the commencement of each Session, with power to act during Recess, and to confer with a similar Committee of the Legislative Assembly.

**Printing Committee** 365. A Printing Committee, to consist of three Member, to be chosen by ballot, if the Council so direct, shall be appointed at the commencement of each session, to whom all petitions and manuscript papers laid upon the table of the Council shall be referred; and it shall the duty of such Committee to report from time to time which of the petitions and papers referred to them ought in their opinion, to be printed, and whether in full or in; and it shall be in power, of the Committee to order such petitions of papers, or abstracts thereof, to be prepared for press by the Clerk in attendance upon such Committee; and no other petitions of papers so referred to them shall be printed in full or in abstract, unless on motion after notice.

Legislative Assembly — Standing Committees (p. 61)

**CHAPTER XXVII—STANDING COMMITTEES**

**Standing Orders Committee** 412. A Standing Orders Committee, to consist of the Speaker and two other Members, to be chosen as the House may direct shall be appointed at the commencement of each Session, with power to confer with a similar Committee of the Legislative Council.

**Library Committee** 413. A Library Committee, to consist of the Speaker and two other Members, to be chosen as the House may direct, shall be appointed at the commencement of each Session, with power to act during the Recess, and to confer with a similar Committee of the Legislative Council.

**Refreshment Committee** 414. A Refreshment Committee, to consist of the Speaker and two other members, to be chosen as the House may direct, shall be appointed at the commencement of each session, with power to act during the Recess.

**Printing Committee** 415. A Printing Committee, to consist of the Speaker and two other Members, to be chosen as the House may direct, shall be appointed at the commencement of each Session, to whom all petitions and manuscript papers laid upon the table of the Council shall be referred; and it shall be the duty of such Committee to report from time to time which of the petitions and papers referred to them, ought, in their opinion, to be printed, and whether in full or in abstract ; and shall; and it shall be in the power of the Committee to order such petitions or papers, or abstracts thereof, to be prepared for the press by the Clerk in attendance upon such Committee; and no other petitions or papers so referred to them shall be printed in full or in abstract, unless on Motion after notice.



## Joint Standing Orders of the Legislative Council and Legislative Assembly (pp.63-64)

### MESSAGES

**Communications to be by message** 1. All communications between the Council and Assembly shall be by message.

### JOINT COMMITTEES

**Joint Standing Orders and Parliamentary Library Committee** 2. At the commencement of each Session there shall be appointed by each House a Committee of three Members respectively, to constitute a joint committee to manage the Parliamentary Library, and another Committee of three Members of each House respectively, to constitute a Joint Committee for Standing orders, and three members shall form a quorum of each of the said committees.

### BILLS

**Bills fair printed when passed** 3. Every Bill shall be fair printed immediately after it shall have been passed in the House in which it originated and the Clerk of the House in which it originated and the Clerk of the House in which the Bill shall have passed shall certify the passing thereof on such fair print, together with the day upon which the Bill did pass.

**Bills printed on vellum** 4. When such Bill shall have passed both Houses of the Legislature, it shall be fair printed by the by Government Printer, who shall furnish three fair points thereof on vellum to the Clerk of the Parliaments.

**Bills to be authenticated** 5. Such three fair prints of each Bill, except the Appropriation Bill, shall be duly authenticated by the Clerk of the Parliaments.

**Bills presented to Governor by Clerk of the Parliaments** 6. The three fair prints of all Bills except the Appropriation Bill, shall when passed, be presented to the Governor, for her Majesty's assent, by the Clerk of the Parliaments.

**Disposal of Bills** 7. When the Governor shall have assented in the name of Her Majesty to any Bill, one of the prints thereof, on vellum, shall be deposited by the Clerk of Parliaments in the Registry of the Supreme Court, another shall be deposited by the Clerk of the Parliaments in the Registry of the Supreme Court, another shall be delivered to the Private Secretary of his Excellency the Governor for transmission to her Majesty's Principal Secretary of State for the Colonies, and the third shall be registered and retained in the office of the Colonial Secretary.

**Title to set forth objects of Bill** 8. The Title of every Bill shall succinctly set forth the general objects thereof.

**Numbering of Acts** 9. All public Acts assented to on behalf of Her Majesty, and all public Bills reserved for the signification of Her Majesty's pleasure, shall be numbered by the Clerk of the Parliaments immediately before the Title, in the order of such assent or reservation, and shall have the date of such assent or reservation, and shall have the date of such assent or reservation, and shall be numbered by the Clerk of Parliaments immediately before the Title, in order of such assent or reservation, and shall have the date of such assent or reservation, following the words "assented to" or "reserved"(as the case may be) immediately after the Title, commencing a new series of numbers with each year of Her Majesty's reign.

**Clerk of Parliaments** 10. The Clerk of the Legislative Council shall be Clerk Of Parliaments.

**In case of absence of Clerk of Parliaments** 11. In case of the unavoidable absence or illness of the Clerk of the Parliaments, the duties imposed upon him by these rules shall be performed by the Clerk of the Legislative Assembly.

**Clerical errors** 12. Upon discovery of any clerical error in any Bills which shall have passed both House of Parliament, and before the same to the House in which the Bill originated, which House may deal with the same as with other amendments.

**Interpretation** 13. In any join Standing Rules and Orders of the Legislative Assembly, the word “in writing” or “written” shall be deemed to mean and include either written or printed, or partly written, and partly printed.

T .COCKBURN\_CAMPBELL

President

JAS G. LEE STEERE

Speaker

Approved

W.C. F. ROBINSON, Governor

5th February 1891.