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LOCAL GOVERNMENT ACT 1995

**SHIRE OF CAPEL
LOCAL LAW No. 1
STANDING ORDERS**

LOCAL GOVERNMENT ACT 1995

SHIRE OF CAPEL

LOCAL LAW No. 1 STANDING ORDERS**Local law relating to the Conduct of Proceedings and Business of Council**

Pursuant to powers conferred upon it by the abovementioned Act and of all other powers enabling it, Council of the above Shire hereby records having resolved on 26 November, 1997 to adopt the following local law.

1. INTERPRETATIONS AND STANDING ORDERS**1.1 Proceedings Conducted According To Standing Orders**

The proceedings and business of Council shall be conducted in accordance with the Act, and where not specifically prescribed, according to this local law, the clauses of which shall be referred to as "the Standing Orders".

1.2 All Meetings Governed By Standing Orders

The proceedings of all Council meetings, committee meetings and other meetings of Council as described in the Act shall be governed by these Standing Orders except where specific exceptions apply either in the Act, its regulations or in the Standing Orders.

1.3 Interpretations

The following interpretations should be used in these Standing Orders, unless the context otherwise requires—

"Act" means the "Local Government Act, 1995, and amendments and successors;

"Clause" means a clause of these Standing Orders;

"Committee" means any Committee appointed in accordance with the provisions of the Act;

"Council" means the Council of the Shire of Capel;

"President" includes the Deputy President, in the absence of the President, and any Councillor chosen to preside at any meeting of Council in the manner prescribed by the Act;

"Meeting" includes any Ordinary or Special Meeting of Council or any other meeting held in accordance with the Act and properly convened as the Act requires;

"Member" means the President, or a Councillor of Council or in the case of Committees, a member of the Committee appointed in accordance with the Act;

"Officer" is an employed member of the staff of the Local Government;

"Chief Executive Officer" means the chief non-elected officer of the Local Government or other officer who, for the time being, is acting in that capacity;

"Absolute majority" is more than 50% of the number of offices of Members on Council or Committee whether they are vacant or not regardless of the number actually present;

"Simple majority" is more than 50% of the members present and voting;

2. MEETINGS—NOTICE AND BUSINESS**2.1 Notice of Meetings—Members to Receive Notice**

Notice of meetings shall be given by the Chief Executive Officer in accordance with the Act. (s.5.4 & 5.5).

2.2 Business to be Specified on Notice Paper

No business other than that specified in the notice shall be transacted at any meeting of Council without the approval of the President or Presiding Member, or the approval of the majority of Councillors present determined by vote.

2.3 Objectionable Business

If the President at any meeting of Council is of the opinion that any motion or business proposed is of an objectionable nature, the President may, either before or after the matter is brought forward, declare that it shall not be considered.

2.3.1 Any Member may move dissent from such a declaration made from the Chair. On the motion being seconded, the motion to dissent shall be put without debate, and in the event of the motion being carried by a majority of the members present, the business referred to shall then be considered immediately, but if the motion is lost, the ruling of the President shall stand.

3. MEETINGS—QUORUM

3.1 Quorum at Meetings

In accordance with the Act, the quorum at all meetings of Council and its committees shall be a minimum of 50% of the total number of places whether vacant or not.

4. MEETING—MINUTES

4.1 Confirmation of Minutes

Minutes are to be kept of each meeting's proceedings, confirmed or amended at the next Ordinary Meeting of Council or Committee as the case requires, and signed and dated by the person presiding.

5. MEETINGS—ORDER OF BUSINESS

5.1 Ordinary Meetings—Order of Business

The order of business of an ordinary meeting of Council shall be—

- (1) Attendance;
- (2) Apologies and leave of absence;
- (3) Question Time for the public limited to a total of fifteen minutes of duration, except by consent of the President. Each speaker will be limited to three minutes duration to speak, except by consent of the President;
- (4) Declarations of interest;
- (5) Notice of items to be discussed behind closed doors;
- (6) Confirmation of the Minutes;
- (7) Business arising from the minutes of the previous meeting;
- (8) The reception of petitions;
- (9) Motions of which previous notice has been given;
- (10) Questions of which previous notice has been given;
- (11) President's report;
- (12) Officers' reports;
- (13) The reception of minutes or reports or recommendations of committees held since the previous meeting of Council;
- (14) Urgent business—in case of extreme urgency or other special circumstance, late correspondence may, with the consent of the President, or at the request of a majority of Councillors present, be read and dealt with;
- (15) Question Time—a second public question time;
- (16) Items for consideration behind closed doors;
- (17) Closure

5.2 Special Meetings—Order of Business

The order of business at any Special Meeting of Council shall be confined to and be the order in which that business is recorded on the notice of that Special Meeting.

6. MEETINGS—PUBLIC CONDUCT

6.1 Admission and Removal of the Public

6.1.1 The public is admitted to the Council Chamber on the basis that no expression of dissent or approval, conversation or interruption to the proceedings of Council shall take place. In the event of any such interruption, the President may use discretion and without a vote of Council, require those interrupting to withdraw. The person or persons concerned shall immediately withdraw from the Council Chamber. This direction by the President may not be challenged by moving dissent with the ruling and the President's ruling is final.

6.1.2 Any person, not being a Member, who interrupts the orderly conduct of the business of Council and who does not withdraw immediately upon being called by the President to withdraw from the Council Chamber may, by order of the President, be removed from the Council Chamber.

7. ROLE OF PRESIDENT

7.1 Directions by the President

7.1.1 At any meeting of Council the President shall have the right to direct attention to any matter of interest or relevance to the business of Council or propose a change to the order of business.

7.1.2 Any Councillor may move that a change in order of business proposed by the President not be accepted and if carried by a majority of Councillors present, the proposed change in order will not take place.

7.2 President to Take Part in Debates

Subject to the provisions of these Standing Orders, the President may take part in a discussion upon any question before Council, provided that like other Councillors in accordance with these Standing Orders, the President may only speak once and provided that this is done before the right of reply is exercised.

7.3 Precedence of President

When the President speaks during the progress of a debate, any Member then speaking, shall immediately cease speaking and every Member present shall preserve strict silence so that the President may be heard without interruption. This clause should not be used by the President to exercise the right provided in Clause 7.2, but should be used to preserve order.

7.4 Dissent With the President's Ruling

Except where expressly denied in these Standing Orders or the Act, a Member may move a procedural motion to disagree with a ruling given by the President. The President must immediately call for a seconder and put the motion without debate.

8. QUESTIONS

8.1 Questions of Which Due Notice Has to be Given

8.1.1 Any person seeking to ask a question that requires research at any meeting of Council shall give written notice of the specific question to the Chief Executive Officer at least 24 hours before publication of the business paper.

8.1.2 All questions and answers shall be submitted as briefly and concisely as possible, and no discussion shall be allowed thereon.

9. PETITIONS

9.1 Petitions—Petitions to be in Writing

Any petition to be submitted to Council shall be in writing or typewritten, and be authenticated by the signature of the Member presenting it.

9.2 Presentation of Petitions

A Member presenting a petition shall be limited to a statement of the parties from whom it comes, of the number of the signatures attached to it, the material issues contained in it, and to the reading of the prayer.

9.3 Responsibility of Member Presenting Petition

It shall be incumbent on a Member presenting a petition to be familiar with the nature and contents of the petition, and to ascertain that it does not contain language disrespectful to Council.

9.4 Procedure of Petitions

The only question which shall be considered by Council on the presentation of any petition shall be—

- (a) That the petition shall be accepted; or
- (b) That the petition not be accepted; or
- (c) That the petition be accepted and referred to a committee for consideration and report; or
- (d) That the petition be accepted and be dealt with by Council.

10. NOTICES OF MOTION

10.1 Notices of Motion—Ordinary and Extraordinary Business

Councillors may bring forward business in the form of a written motion, of which notice shall be given in writing to the Chief Executive Officer, up to 24 hours before the publication of the business paper.

10.2 Motion to Lapse

A motion shall lapse unless the Member who gave notice is present, except where another Councillor is willing to move the motion when it is called.

10.3 Unopposed Notices of Motion

The President may call the notices of motion appearing on the business paper in the order in which they are written. In the event of there being no objection, the motions shall be put without discussion.

10.4 Order of Amendments to Notice of Motion

Where notice of an amendment to a notice of motion is received by the Chief Executive Officer, it shall be dealt with immediately after the notice of motion it proposes to amend, but before the right of reply is taken by the mover of the motion on notice.

10.5 Exclusion or Amendment of Notice

The Chief Executive Officer, after consultation with the President, may exclude from Council business paper any notice of motion which may be out of order.

10.6 Limitations of Notices

No Member shall have more than two notices of motion on the business paper at the same time unless express approval of the President has been obtained.

10.7 Opposed Motions of Which Notice Has Been Given

After disposing with all unopposed motions, the President shall call on the movers of opposed motions in their order on the business paper to speak.

10.8 Notices Abandoned

If a motion, notice of which is specified on the business paper, is not moved either by the Member who has given the notice of motion, or by some other Councillor, or if the motion is not seconded, it shall be considered as abandoned and shall not again be introduced without subsequent notice of motion being given to the Chief Executive Officer.

10.9 Repetition of Lost Motions

No motion which has the same specific intent to one which has been lost within the preceding three months shall be moved unless it is presented as a notice of motion and the notice is signed by one third of the offices of Member, whether present or not.

11. CONDUCT OF MEMBERS**11.1 Official Titles to be Used**

Members shall speak of each other in Council during the transaction of business, by their respective titles of President or Councillor. Members, in speaking of or addressing Officers, shall designate them by their respective official titles.

11.2 Members to Occupy Own Seats

11.2.1 At the first meeting attended by a Councillor after election, the Chief Executive Officer shall allot by random draw, a position at the Council table for each newly elected Councillor and the Councillor shall, until such time as there is a call by a majority of Councillors for a re-allotment of positions, occupy that position when present at meetings of Council.

11.2.2 No Member shall be deemed to be present unless occupying their allotted place within the Council Chamber.

11.3 Debate—Maintenance of Order—Imputations—Offensive Expressions

No Member may impute motives or use offensive or objectionable expressions in reference to any Member, Officer, or any other person.

11.4 Alcohol

Consumption of alcohol during Council or committee meetings is prohibited.

11.5 Smoking

Smoking during Council or committee meetings is prohibited.

12. CONDUCT OF MEMBERS DURING DEBATE**12.1 Priority**

In the event of two or more Members wishing to speak at the same time, the President shall decide which Member is entitled to be heard. The decision shall not be open to discussion or dissent.

12.2 Relevance

Every Member shall restrict their remarks to the motion or amendment under discussion, or to an explanation or point of order.

12.3 Limitation of Number of Speeches

No Member shall address Council more than once on any motion or amendment before Council except the mover of a substantive motion, in reply, or to a point of order, or in explanation.

12.4 Limitation of Duration of Speeches

All addresses shall be limited to a maximum of three minutes. Extension of time is permissible only with the agreement of the majority of Councillors present.

12.5 Members Not to Speak After Conclusion of Debates

No Member may speak to any question after it has been put by the chair.

12.6 Members Not to Interrupt

No Member shall interrupt another Member whilst speaking unless—

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum.

12.7 Re-Opening Discussion on Resolutions

No Member shall re-open discussion on any resolution of Council, except for the purpose of moving that the resolution be revoked or changed.

12.8 Chair's Right to Adjourn Without Explanation to Regain Order

If a meeting ceases to operate in an orderly manner, the President may use discretion to adjourn the meeting for a period of up to fifteen minutes without explanation, for the purpose of regaining order. This action cannot be challenged by any Member. Upon resumption, debate will continue at the point at which the meeting was adjourned. If, at any one meeting, the President has cause to adjourn the meeting on two occasions, the President has the right to adjourn the meeting for a period of no longer than seven days.

13. PROCEDURES FOR DEBATE OF MOTIONS**13.1 Motions To be Read**

Any Member who intends to submit an amendment to a substantive motion shall read the text before speaking to it.

13.2 To Be Seconded

No motion or amendment to a substantive motion shall be in order, or be open to debate until it has been seconded.

13.3 Only One Substantive Motion Considered

When a substantive motion is under debate at any meeting of Council, no further substantive motion shall be accepted.

13.4 Order of Call in Debate

The President will call speakers to a substantive motion in the following order—

- (a) The mover to state the motion;
- (b) A seconder to the motion;
- (c) The mover to speak to the motion;
- (d) A speaker against the motion;
- (e) A speaker for the motion;
- (f) Other speakers against and for the motion, alternating in view, if any;
- (g) Mover takes right of reply which closes debate.

13.5 Limit of Debate

The President may offer the right of reply and put the motion to the vote if the President believes sufficient discussion has taken place even though all Councillors may not have spoken.

14. PROCEDURAL MOTIONS**14.1 Permissible Procedural Motions**

In addition to proposing a properly worded amendment to a substantive motion, it is permissible for a Councillor to move the following procedural motions—

- (a) That Council proceed to the next business;
- (b) That the question be adjourned;
- (c) That Council do now adjourn;
- (d) That the question be now put;
- (e) That the Question be not now put;
- (f) That Council move into a Committee of the whole;
- (g) That the Councillor be no longer heard;
- (h) That the ruling of the President (or person chairing the meeting) be disagreed with;
- (i) That the motion lie on the table;
- (j) That Council meet behind closed doors.

14.2 Procedural Motions Not Required in Writing

Procedural motions are not required to be presented in writing.

14.3 Procedural Motions—Recording in Minutes

The mover, seconder and result of all procedural motions shall be recorded in the minutes of the meeting.

14.4 Procedural Motions—Majority Required

Any procedural motion shall be carried upon the majority of Councillors present voting in the affirmative.

14.5 Procedural Motions—Closing Debate—Who May Move

No person who has moved, seconded, or spoken for or against the substantive motion or any amendment, may move any procedural motion which, once moved, would deny others the right to speak or, if carried, would close the debate on the substantive motion or amendment.

14.6 Procedural Motions—Right of Reply

There shall be no right of reply on any procedural motion.

14.7 Procedural Motions—Right of Reply on Substantive Motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment will not deny the right of reply, to the mover of the substantive motion.

15. EFFECT OF PROCEDURAL MOTIONS

15.1 That Council Proceed to the Next Business—Effect of Motion

This motion, having been carried, will cause the debate to cease immediately and for Council to move to the next item on the Agenda of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be placed on any future notice paper.

15.2 That the Question be Adjourned—Effect of Motion

This motion, having been carried, will cause all debate on the substantive motion or amendment to cease but to continue when the discussion is reconvened.

15.3 That Council do Now Adjourn—Effect of Motion

This motion, having been carried, will cause the meeting to stand adjourned until it is re-opened at which time the meeting continues from the point at which it was adjourned, unless the President or the majority of Councillors upon vote, determine otherwise.

15.4 That the Question be Now Put—Effect of Motion

15.4.1 This motion, having been carried during discussion on a substantive motion without amendment, will cause the President to offer the right of reply and then immediately put the question under consideration without further debate.

15.4.2 This motion, having been carried, during discussion on an amendment, will cause the President to put the amendment to the vote without further debate.

15.4.3 This motion, having been lost, will allow debate to continue.

15.5 That the Question be Not Now Put—Effect of Motion

15.5.1 This motion, having been carried during discussion either on a substantive motion or an amendment, will cause the meeting to proceed to the next business with no decision required to be made. In this case, there is no requirement for the matter to be raised again, except that it can only be raised by way of another substantive motion for which due notice must be given.

15.5.2 This motion, having been lost, will cause the President to immediately put any amendment to the vote and then to offer the right of reply and put the substantive motion to the vote immediately.

15.6 That Council Move Into a Committee Of The Whole—Effect of Motion

This motion, having been carried, will allow free and open discussion on the matter before the meeting. There will not be restrictions on the number of times each Councillor may speak, provided that normal courtesy and order is maintained. Any decisions made during the time that Council sits in committee of the whole must be formally agreed by a substantive motion when Council moves out of committee of the whole.

15.7 That the Councillor be No Longer Heard—Effect of Motion

This motion, having been carried, will cause the President to not allow the speaker against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

15.8 That Ruling of the President be Disagreed With—Effect of Motion

15.8.1 This motion, having been carried, will cause the ruling of the President about which this motion was moved, to be reversed and for the meeting to proceed accordingly.

15.8.2 Where the President has given a ruling in strict accordance with the Act, this motion may not be moved.

15.8.3 Where the President has adjourned the meeting in accordance with Clause 12.8 of these Standing Orders, this motion may not be moved.

15.9 That the Motion Lie on the Table—Effect of Motion

15.9.1 This motion, having been carried, will cause debate on the substantive motion and any amendment to cease immediately and for the meeting to proceed to the next business.

15.9.2 Any Councillor may raise the motion from the table, by giving appropriate notice of motion for any meeting in the future.

15.9.3 When a motion is raised from the table, the mover of the original substantive motion, or in the absence of the original mover, the person moving this procedural motion, is given the opportunity to reintroduce the matter after which debate shall continue according to these Standing Orders.

15.10 That Council Meets Behind Closed Doors —Effect of Motion

In accordance with the Act, this motion, if carried, will cause the general public and any Officers or employees Council determines, to leave the room.

16. DECISION MAKING PROCEDURES

16.1 Voting and Decisions—Majority to Determine

All acts of Council, and all questions coming before Council, may be decided by a simple majority of the members of Council present within the Council Chamber, and voting at a properly constituted meeting, unless otherwise provided for in these Standing Orders or the Act.

16.2 Breaking Down of Complex Questions

The President may order a complex question to be broken down and put in the form of several motions, which shall be put in sequence.

16.3 Member May Require Questions to be Read

Any Member of Council may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other Member whilst speaking.

16.4 Order of Amendments

Any number of amendments may be proposed to a motion, but whenever an amendment is made upon a substantive motion, no second or subsequent amendment shall be moved or considered until the first amendment has been disposed of.

16.5 Foreshadowed Motion

During the course of debate as an amendment to a motion, a Member may give notice of intention to move a motion or amendment when the question before the meeting is decided.

16.6 Substantive Motion

If an amendment to a substantive motion is carried, the motion as amended shall then be submitted as the substantive motion, and shall become the question before Council upon which any Member may speak and any further amendment may be moved.

16.7 Repetition of Motions

No motion or amendment shall be proposed which is the same in substance as a motion or amendment which has been resolved during the same sitting of Council, except by agreement of the majority of Councillors present.

16.8 Consent of Seconder Required to Accept Alteration of Wording

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

16.9 Withdrawal of Motion and Amendments

Council may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any Councillor, in which case discussion on the motion or amendment shall continue.

16.10 Limitation of Withdrawal

Where an amendment has been proposed to a substantive motion, the substantive motion shall not be withdrawn, except by consent of the majority of Members present, until the amendment proposed has been withdrawn or lost.

16.11 Authority for Withdrawal

A motion or amendment to a motion shall not be withdrawn in the absence of any Member who proposed it, except with their written authority.

16.12 Right of Reply

16.12.1 The mover of a substantive motion shall have the right of reply. After the mover of the substantive motion has commenced the reply, no other Member shall speak on the question.

16.12.2 The right of reply must be confined to rebutting arguments raised by previous speakers and no new matter may be introduced.

16.13 Right of Reply Provisions

The right of reply shall be governed by the following provisions—

- (a) If there is no amendment to the substantive motion, the mover may reply at the conclusion of the discussion on the motion.
- (b) If there is an amendment, the mover of the substantive motion shall take the right of reply at the conclusion of the vote on any amendments.
- (c) The mover of any amendment does not have a right of reply.
- (d) Once the right of reply has been taken, there can be no further discussion, nor any other amendment and the substantive motion as amended is immediately put to the vote.

16.14 Amendments Must Not Negate Original Motion

No amendment to a motion can be moved which negates the original motion or the intent of the original motion.

16.15 Question—When Put

When the debate upon any question is concluded and the right of reply has been exercised the President shall immediately put the question to Council, and, if so desired by any Member, shall again state it.

16.16 Question—Method of Putting

If a decision is not clear or in doubt, the President shall put the question as often as necessary to determine the decision from a show of hands.

16.17 Recording of Votes

If a Member specifically requests that there be recorded—

- (a) his or her vote; or
- (b) the vote of all Members present;

on a matter voted on at a meeting of Council or a committee, then the votes will be recorded in the minutes.

16.18 Revoking Decisions—When This Can Occur

16.18.1 If a decision has been made at a Council or committee meeting then any notice of motion to revoke or change the decision must be supported—

- (a) in the case where an attempt to revoke or change the decision has been made within the previous three months but had failed, by an absolute majority; or
- (b) in any other case, by at least one third of the number of offices (whether vacant or not) of members of Council or committee inclusive of the mover.

16.18.2 If a decision has been made at a Council or committee meeting then any decision to revoke or change the first-mentioned decision must be made—

- (a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or
- (b) in any other case, by an absolute majority.

16.18.3 This clause does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

17. POINTS OF ORDER**17.1 Points of Order—When to Raise—Procedure**

Upon a matter of order arising during the progress of a debate, any Member may raise a point of order including interrupting the speaker. Any Member who is speaking when a point of order is raised, shall immediately cease speaking while the President listens to the point of order.

17.2 Points of Order—Definitions

Expressing a difference of opinion or contradicting a speaker shall not be recognised as raising a point of order, but the following shall be recognised as valid points of order—

- (a) That the discussion is of a question not before Council.
- (b) That offensive or insulting language is being used.
- (c) Drawing attention to the violation of any local law or standing order of Council, providing that the Member raising the point of order shall state the local law or Standing Order believed to be breached.

17.3 Points of Order—Ruling

The President shall give a decision on any point of order after the point has been raised by either upholding or rejecting the point of order.

17.4 Points of Order—Ruling Conclusive, Unless Dissent Motion is Moved

The ruling of the President upon any question of order shall be final, unless a majority of Members support a motion of dissent with the ruling.

17.5 Points of Order—Motion Against Ruling Procedure

Any objection having been taken to the ruling of the President, Councillor so objecting may immediately move dissent with the ruling. Should the motion be seconded, it shall be put to the vote immediately and the result of the vote, whether in support of the ruling or otherwise, shall determine the action of Council.

17.6 Points of Order Take Precedence

Notwithstanding anything contained in these Standing Orders to the contrary, all points of order take precedence over any other discussion and until decided, suspend the consideration and decision of every other question.

18. ADJOURNMENT OF MEETING**18.1 Meeting May be Adjourned**

Council may, upon a motion moved and seconded, adjourn any meeting to a later hour of the same day, or to any other time not more than seven days from the date of the adjournment.

18.2 Notice of Adjourned Meeting

When a meeting is adjourned, if time permits, notice of the adjourned meeting shall be forwarded to each member in the manner provided in Clause 2.

18.3 Business at Adjourned Meeting

At an adjourned meeting, no additional business shall be discussed except that which was on the original notice paper for that meeting.

18.4 Limit to Moving Adjournment of Council

No Member shall be allowed to move or second more than one motion of adjournment during the same sitting of Council.

18.5 Unopposed Business—Motion for Adjournment of Council

On a motion for the adjournment of Council, the President, before putting the motion, may seek leave of Council to proceed to the transaction of unopposed business.

18.6 Withdrawal of Motion for Adjournment of Council

A motion or an amendment relating to the adjournment of Council may be withdrawn by the mover, with the consent of the seconder, except that if any Councillor objects to the withdrawal, the motion must continue to be debated.

19. PERSONAL EXPLANATION**19.1 Personal Explanation**

No Member shall speak, except upon the question before the meeting, unless it is to make a personal explanation. Any Member who is permitted to speak under these circumstances must confine the observations to a succinct statement relating to a specific part of the former speech which may have been misunderstood. When a Member seeks leave to explain, no reference shall be made to matters unnecessary for that purpose.

19.2 Personal Explanation—When Heard

A Member wishing to make a personal explanation of matters referred to by any Member then speaking shall be entitled to be heard immediately, if the Member then speaking consents at the time, but if the Member who is speaking declines to give way, the explanation must be offered at the conclusion of that speech.

19.3 Ruling on Questions of Personal Explanation

The ruling of the President on the admissibility of a personal explanation shall be final unless a motion of dissent with the ruling is moved before any other business proceeds.

20. COMMITTEES OF COUNCIL**20.1 Committees**

Committees of Council shall operate in accordance with the Act and its regulations.

20.2 Standing Orders to Apply to Committees

These Standing Orders shall apply generally to the proceedings of Committees of Council except that the requirement to speak only once, shall not be applied in meetings of Committees.

20.3 Power and Duties of Committees

The powers and duties of Committees shall be clearly defined and specifically delegated to them by resolution of Council, and shall be recorded in a policy manual.

21. MEETINGS OF ELECTORS**21.1 Standing Orders**

The Standing Orders shall so far as practicable apply to meetings of electors except for the following—

- (a) No person shall vote at a meeting of electors unless his name is on the current Electoral Roll.
- (b) Subject to the Act, the President shall preside at meetings.
- (c) The President may require questions to be submitted in writing.
- (d) All questions if answered at the meeting shall be answered by the President or with the permission of the President by a Councillor or an Officer.
- (e) If any question cannot readily be answered at the meeting the answer shall be given in writing by Council as soon as reasonable practicable thereafter.
- (f) If required by the President the mover of a motion shall submit the motion in writing.
- (g) The President may close a meeting when the President decides to do so.
- (h) Subject to the Act and to this local law the conduct of a meeting of electors shall be at the sole discretion of the President.

22. ADMINISTRATIVE MATTERS**22.1 Suspension of Standing Orders**

- (a) The mover of a motion to suspend any Standing Order or Orders shall state the Standing Order or Orders to be suspended.
- (b) A motion to suspend, temporarily, any one or more of the Standing Orders regulating the proceedings and business of Council must be seconded.

22.2 Cases not Provided for in Standing Orders

In cases of procedure where these Standing Orders and the Act are silent, rulings shall be determined according to a recognised authoritative book on meeting procedure as determined by Council from time to time. The President shall decide all other questions of order, procedure, debate or otherwise where the approved authority has no provision, or insufficient provision.

22.3 Duty of Chief Executive Officer

It is the duty of the Chief Executive Officer to draw the attention of Council to any breach or likely breach of these Standing Orders even if it requires interrupting any person speaking, including the President.

22.4 Enforcement of Standing Orders

The President is authorised and required to enforce the Standing Orders.

22.5 Penalty for Breach of Standing Orders

Any person guilty of any breach of these Standing Orders or any of the provisions hereof, shall be liable to a penalty not exceeding \$1,000.

The Common Seal of the Shire of Capel is hereunto affixed by authority of a resolution of Council on the 26th day of November, 1997.

W. C. SCOTT, President.
R. G. BONE, Chief Executive Officer.

