



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SIXTH PARLIAMENT, FIRST SESSION

NO. 8/2015: 10 – 19 NOVEMBER 2015

| November 2015 | | | | |
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| 9 | 10 | 11 | 12 | 13 |
| 16 | 17 | 18 | 19 | 20 |

This document provides a summary of significant procedural events and precedents in the Legislative Assembly. It is produced at the end of each sitting period. Where applicable the relevant Standing Orders are noted.

BUSINESS

Tabling of papers by announcement

On 10 November 2015 Standing and Sessional Orders were suspended for the remainder of the 2015 sittings to enable Ministers to table papers by making an announcement in the House (as opposed to handing up copies of the papers in the House). Under the suspension, any papers announced must have first been lodged with the Table Office beforehand.

Votes and Proceedings: 10/11/2015, pp. 452-3.

Hansard (proof): 10/11/2015, p. 36.

Standing Orders 264 and 365.

(Procedural note: This practical arrangement reflects the large number of annual reports which are tabled by Ministers toward the end of the spring sitting period, in accordance with statutory timeframes.)

Days of meeting for 2016

On 10 November 2015 the House agreed to a motion that, unless otherwise ordered, it would meet during the 2016 autumn and spring sittings on the following dates:

Autumn sittings:

February 16, 17, 18, 23, 24, 25

March 8, 9, 10, 15, 16, 17, 21, 22, 23

May 3, 4, 5, 10, 11, 12, 31

June 1, 2, 21, 22, 23

Spring sittings:

August 2, 3, 4, 9, 10, 11, 23, 24, 25

September 13, 14, 15, 20, 21, 22

October 11, 12, 13, 18, 19, 20

November 8, 9, 10, 15, 16, 17 and November 22, 23, 24 as a potential reserve week.

Votes and Proceedings: 10/11/2015, p. 453.

Standing Order 34.

Re-ordering of General Business

On 11 November 2015 the House agreed to the motion of Mr Ray Williams MP, that his General Business Notice of Motion on support for victims of domestic violence should have precedence the following sitting day.

On 18 November 2015 Mr Chris Gulaptis MP moved that his General Business Notice of Motion on skills development should have precedence the following sitting day. The motion was passed on division.

Votes and Proceedings: 11/11/2015, p. 463; 18/11/2015, p. 493.

Hansard (Proof): 11/11/2015, p. 14; 18/11/2015, pp. 54-6.

Standing Order 106.

(Procedural note: Time is provided on Thursday mornings for debate on those bills or motions where the person in charge is not a Member of the Government. This is known as “General Business” or is sometimes referred to as “Private Members’ Business”.

Each sitting day Members may give notice in the House of their intention to move an item of General Business. Those notices are then listed in the Business Paper and are considered in the order in which they have been given (Standing Order 136).

If the House commences but does not conclude consideration of any of those motions or bills by the time of interruption, then they are listed as an Order of the Day for consideration before the House moves on to any new items of General Business.

The re-ordering provision, however, allows Members to seek to re-order a General Business Notice of Motion, or an Order of the Day for a Bill, so that it then has precedence over the other General Business scheduled for consideration (including any Orders of the Day).)

Christmas felicitations

On 19 November 2015, the last sitting day before Christmas, in accordance with two suspensions of Standing and Sessional Orders, the Premier, the Leader of the Opposition and other Members offered their Christmas felicitations.

Votes and Proceedings: 12/11/2015, pp. 472; 19/11/2015, p. 511, p. 512, p. 513.

Hansard (Proof): 12/11/2015, p. 36; 19/11/2015, p. 46, pp. 47-56, pp. 62-74.

Standing Order 365

(Procedural note: On a motion, Christmas felicitations are an annual opportunity for Members to offer their best wishes and thanks to parliamentary colleagues and staff.)

Paris terror incidents

On 17 November 2015 the Premier made a Ministerial Statement in relation to the recent terrorist incidents in Paris. The Leader of the Opposition made a response.

Votes and Proceedings: 17/11/2015, p. 479.

Hansard (Proof): 17/11/2015, p. 5966.

Standing Orders 103 and 104.

Five or fewer Members on one side in a division

On 17 November 2015, at the conclusion of the second reading debate on the *Betting Tax Legislation Amendment Bill 2015*, the question that the bill be read a second time was put and a division was called for. The Deputy Speaker declared the question to be resolved as there were only five Members in the minority who had challenged his decision. The names of the Members in the minority were recorded in the *Votes and Proceedings*.

On 18 November 2015, during the second reading debate on the *Statute Law (Miscellaneous Provisions) Bill (No. 2) 2015*, the question that an amendment be agreed to was put and a division was called for. Temporary Speaker Evans declared the question to be negatived as there were only five Members in the minority who had challenged his decision. The names of the Members in the minority were recorded in the *Votes and Proceedings*.

On 18 November 2015, during the Consideration in Detail of the *Statute Law (Miscellaneous Provisions) Bill (No. 2) 2015*, the question that an amendment be agreed to was put and a division was called for. Temporary Speaker Evans declared the question to be negatived as there were only five Members in the minority who had challenged his decision. The names of the Members in the minority were recorded in the *Votes and Proceedings*.

Votes and Proceedings: 17/11/2015, p. 484; 18/11/2015, p. 499, p. 500.

Hansard (Proof): 17/11/2015, pp. 6014-5; 18/11/2015, p. 87, p. 90.

Standing Order 181.

(Procedural note: When it is evident that there are five or fewer Members on one side in a division, without completing the division the Chair shall declare the result of the question before the House, and the names of those Members opposing the majority are recorded in the *Votes and Proceedings*.)

Temporary Speaker's ruling about the scope of Community Recognition Statements

On 18 November 2015, upon upholding a point of order taken during Community Recognition Statements, Temporary Speaker Marshall reminded Members that Community Recognition Statements must not contain:

- (a) matters of policy
- (b) requests for the Government or the House, or another body to take some form of action or not or
- (c) criticisms or negative reflections on any person, including Members, Office Holders, the Government, the Opposition or a third party.

The Temporary Speaker further stated that Community Recognition Statements are an opportunity for Members to recognise people in their electorate, not to raise matters of substantive policy or criticism of the Government, the Opposition or any third party.

Votes and Proceedings: 18/11/2015, p. 491.

Hansard (Proof): 18/11/2015, p. 35.

Standing Order 108A.

Suspension of Standing and Sessional Orders to permit the consideration of a motion to censure the Attorney General

On 18 November 2015 the Leader of the Opposition gave notice that he would move a motion that the House censure the Attorney General for:

- “(1) Her failure to fully and properly explain her apparent breaches of the Ministerial Code of Conduct and the Members Code of Conduct.
- (2) The maladministration of her portfolio.”

Later in the day, the Leader of the House moved that Standing and Sessional Orders be suspended to permit the consideration of the censure motion between the placing or disposal of business and consideration of the Motion Accorded Priority, and to restrict the speakers and speaking times on the motion. The motion was passed on division.

Immediately after the suspension motion was determined, in accordance with the resolution, the censure motion was debated and subsequently negated on division.

Votes and Proceedings: 18/11/2015, p. 491, pp. 493-5.

Hansard (Proof): 18/11/2015, p. 39, pp. 56-70.

Standing Orders 114 and 365.

COMMITTEES

Standing Orders and Procedure Committee report – Changes to the Standing and Sessional Orders

On 19 November 2015 the Speaker tabled the Standing Orders and Procedure Committee’s second report for the 56th Parliament, entitled *Changes to the Standing and Sessional Orders*.

The report recommends minor changes to the Standing and Sessional Orders that relate to the election of the Speaker, the Routine of Business, Motions Accorded Priority, and tabling and debate provisions for committee reports.

The report can be accessed via the Committee’s [webpage](#).

Votes and Proceedings: 19/11/2015, p. 512.

Hansard (Proof): 19/11/2015, p. 47.

Standing Order 265.

Inquiry into the management of New South Wales public housing maintenance contracts

On 19 November 2015 the Chair of the Public Accounts Committee, Mr Bruce Notley-Smith MP, informed the House that the Committee had resolved to conduct an inquiry into the management of New South Wales public housing maintenance contracts. The full details of the inquiry are available on the Committee's [webpage](#).

Votes and Proceedings: 19/11/2015, p. 512.

Hansard (Proof): 19/11/2015, p. 47.

Standing Order 299 (1).

STAFF

Resignation of the Executive Manager, Department of Parliamentary Services

On 11 November 2015 the Speaker made a statement about the resignation of Mr Rob Stefanic, Executive Manager, Department of Parliamentary Services, and thanked him for his service to the Parliament. Mr Stefanic resigned to take up the position of Secretary, Department of Parliamentary Services in the Commonwealth Parliament.

Votes and Proceedings: 11/11/2015, p. 461.

Hansard (proof): 11/11/2015, p. 1.