



PROCEDURAL HIGHLIGHTS

Legislative Assembly

FIFTY-FIFTH PARLIAMENT, FIRST SESSION

NO. 1: 3 MAY - 12 MAY 2011

MAY 2011				
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9	10	11	12	13

This document provides a summary of significant procedures and precedents in the Legislative Assembly. It is produced at the end of each sitting period. Where applicable the relevant standing orders are noted.

BILLS

1.1 Law of Evidence Bill

The Premier presented the Law of Evidence Bill (pro forma) prior to the Commission for the opening of Parliament being reported to the House in assertion of the House's right to meet and legislate.

Votes and Proceedings: 3 May 2011, p. 6.

Hansard: 3 May 2011, galley p. 6.

Standing Order 3(5)

1.2 Constitution Amendment (Prorogation of Parliament) Bill

The Premier, introduced without notice, the Constitution Amendment (Prorogation of Parliament) Bill. In his agreement in principle speech the Premier stated that the bill will restrict the discretion of the Governor, acting on the advice of the Executive Council, to prorogue Parliament in the six months prior to a fixed term election, except on or after 26 January. Standing Orders were suspended to enable the bill to pass through all stages that day.

Votes and Proceedings: 4 May 2011, p. 52.

Hansard: 4 May 2011, galley pp. 48-49.

Standing Orders 188, 203 and 365

BUSINESS

1.3 Ministerial Announcements

The Premier informed the House of those Members who had been appointed Ministers. The Premier also informed the House of the representation of Legislative Council Ministers in the Assembly.

Votes and Proceedings: 3 May 2011, pp. 6-7.

Hansard: 3 May 2011, galley p. 6-7.

1.4 *Government Announcements*

The Premier informed the House of the appointment of Brad Hazzard as Leader of the House, and the election of Daryl Maguire as Government Whip and Stuart Ayres as Deputy Government Whip.

Votes and Proceedings: 3 May 2011, p. 8.

Hansard: 3 May 2011, galley p. 6-7.

1.5 *The Nationals Announcements*

The Deputy Premier and Leader of The Nationals informed the House of his election as Leader of The Nationals, the election of Adrian Piccoli as Deputy Leader of The Nationals and the election of John Williams as The Nationals Whip.

Votes and Proceedings: 3 May 2011, p. 8.

Hansard: 3 May 2011, galley p. 6-7.

1.6 *Opposition Announcements*

The Leader of the Opposition informed the House of his election as Leader of the Opposition, the election of Linda Burney as Deputy Leader of the Opposition and the election of Richard Amery as Opposition Whip and Ryan Park as Deputy Opposition Whip.

Votes and Proceedings: 3 May 2011, p. 8.

Hansard: 3 May 2011, galley p. 6-7.

1.7 *Citizens' Right of Reply*

A procedure for citizens' right of reply was adopted by the House for the current Parliament.

Votes and Proceedings: 3 May 2011, pp. 36-37.

Hansard: 3 May 2011, galley p. 14-15.

1.8 *Address-in-Reply*

Address-in Reply to the Governor's Opening Speech moved in the House.

Votes and Proceedings: 3 May 2011, pp. 44-45.

Hansard: 3 May 2011, galley p. 37.

Standing Order 4

1.9 *Ministerial Announcements – Parliamentary Secretaries*

The Premier informed the House of the Members who had been appointed as Parliamentary Secretaries and the offices to which they had been appointed.

Votes and Proceedings: 5 May 2011, p. 57.

Hansard: 5 May 2011, galley pp. 31-32.

Standing Order 366

1.10 *Condolence Motion – Lionel Rose*

Motion of condolence moved "That this House places on record its sense of loss on the death of Lionel Rose, world boxing champion and a hero to people in Australia and internationally." Debate was adjourned and resumed the following day. At the conclusion of debate the question was put and carried unanimously with Members and Officers of the House standing as a mark of respect.

Votes and Proceedings: 10 May 2011, p. 78; 11 May 2011, p. 81.

Hansard: 10 May 2011, galley pp. 50-62; 11 May 2011, galley pp. 1-11.

Standing Order 118

1.11 Discussion of petition signed by 10,000 or more persons

Discussion proceeded on the subject matter of the petition signed by 10,000 or more persons that had been received by the House which requested: "a major review of the Environmental Planning and Assessment Act 1979; the repeal of Part 3A of the Act and the appointment of a Special Commission of Inquiry into the Barangaroo site development process." In accordance with the sessional order, no question was put at the conclusion of the discussion.

Votes and Proceedings: 11 May 2011, p. 85.

Hansard: 11 May 2011, galley pp.50-54.

Standing Order 125A (adopted as a sessional order)

CHAMBER

1.12 Disorder in the public gallery

By direction of the Speaker, persons who interrupted the proceedings of the House by interjecting were removed from the public gallery.

Votes and Proceedings: 4 May 2011, p. 49

Hansard: 4 May 2011, galley p. 34

Standing Order 260

1.13 Use of electronic devices

The Speaker reminded Members that while it was in order for them to use mobile devices such as mobile phones, BlackBerrys and iPads so long as they did not disturb other members, such devices should be set on silent mode at all times.

Votes and Proceedings: 6 May 2011, p. 66.

Hansard: 6 May 2011, galley pp. 35-36.

DIVISIONS

1.14 Seating for divisions

The Speaker advised the House that, for the purposes of divisions, Members voting with the "ayes" should be seated on the benches to the right of the Chair and around to the library doors, with the exception of the back row of the Chamber. The Independent Members and The Greens Member voting for the "ayes" should be seated on the back row to the right of the Serjeant's chair and to the left of the Serjeant's chair when voting with the "noes".

Votes and Proceedings: 4 May 2011, pp. 51-52.

Hansard: 4 May 2011, galley p. 47.

ELECTIONS

1.15 Election petition

The Speaker informed the House that the Clerk had received from the Supreme Court a copy of a petition to the Court of Disputed Returns, pursuant to the *Parliamentary Electorates and Elections Act 1912*, in relation to the election of Noreen Hay as the Member for the electoral district of Wollongong.

Votes and Proceedings: 4 May 2011, p. 49

Hansard: 4 May 2011, galley p. 39

MEMBERS

1.16 *Resignation of Member*

The Speaker advised the House that on 14 February 2011 a letter was received from Graham West resigning his seat as Member for the electoral district of Campbelltown.

Votes and Proceedings: 3 May 2011, p. 8.

Hansard: 3 May 2011, galley p. 7.

1.17 *Disclosures by Members*

The Speaker tabled the Supplementary Ordinary Returns by Members of the Legislative Assembly as at 31 December 2010.

Votes and Proceedings: 3 May 2011, p. 19.

Hansard: 3 May 2011, galley p. 11.

1.18 *Code of Conduct for Members*

The Code of Conduct for Members was adopted by the House for the current Parliament.

Votes and Proceedings: 3 May 2011, pp. 34-36.

Hansard: 3 May 2011, galley pp. 13-14.

OPENING OF PARLIAMENT

1.19 *Opening of 55th Parliament*

In accordance with the Governor's proclamation, Members of the Legislative Assembly and Legislative Council assembled in Parliament House at 10.00 am on Tuesday 3 May 2011. A message from the Commissioners was delivered by the Usher of the Black Rod requesting the attendance of members of the Legislative Assembly in the Legislative Council Chamber to hear the Commission for the Opening of Parliament read.

Votes and Proceedings 3 May 2011, pp. 1-4.

Hansard: 3 May 2011, galley p. 1.

Standing Order 2

1.20 *Return of writs for general election*

The Clerk announced the return of the writs for the 93 persons elected to serve as Members in the Legislative Assembly of New South Wales at the general Election held on 26 March 2011.

Votes and Proceedings 3 May 2011, pp. 2-3.

Hansard: 3 May 2011, galley p. 1.

Standing Order 2

1.21 *Commission to administer the Pledge of Loyalty*

The Clerk informed the House that he had received a Commission from the Administrator (the Honourable Justice Margaret Beazley AO) authorising the Honourable Barry O'Farrell MP, the Honourable Andrew Stoner MP, and the Honourable Brad Hazzard MP, as persons before whom the Pledge of Loyalty may be taken.

Votes and Proceedings 3 May 2011, p. 4.

Hansard: 3 May 2011, p. 1.

Standing Order 2

1.22 *Members take Pledge of Loyalty*

After the Premier took the Pledge of Loyalty and then administered the Pledge to the two other Commissioners, the Pledge of Loyalty was taken by all other Members, who then signed the Roll of the House.

Votes and Proceedings 3 May 2011, pp. 4-5.

Hansard: 3 May 2011, galley p. 1.

Standing Order 2

1.23 *Presentation of Speaker*

After the election of the Speaker (see entry 1.29) the House proceeded to the Jubilee Room at 12.20 p.m. to present the Speaker to the Governor. When the House returned at 2.30 p.m., the Speaker reported that she had presented herself to the Governor and had, in the name and on behalf of the House, laid claim to all Members' undoubted rights and privileges.

Votes and Proceedings 3 May 2011, pp. 8-9

Hansard: 3 May 2011, galley p. 8.

Standing Order 11

1.24 *Governor's speech*

After the Usher of the Black Rod had delivered a message requesting the attendance of the Members of the Legislative Assembly in the Legislative Council Chamber to hear the Governor's Opening Speech, Members proceeded to the Legislative Council Chamber. Upon their return to the House, the Speaker laid a copy of the Speech on the Table.

Votes and Proceedings 3 May 2011, pp. 9-16.

Hansard: 3 May 2011, galley p. 8.

Standing Orders 2 and 3

PARLIAMENTARY ADMINISTRATION

1.25 *Parliamentary Budget Office*

The Speaker tabled the Proposed Operational Plan of the Parliamentary Budget Office, dated 17 February 2011.

Votes and Proceedings: 3 May 2011, p. 19.

Hansard: 3 May 2011, galley p. 11.

PARLIAMENTARY PRECINCTS

1.26 *Memorandum of Understanding with Commissioner of Police*

The Speaker tabled a copy of the Memorandum of Understanding on the execution of search warrants in the premises of Members of the New South Wales Parliament between the Commissioner of Police, the President of the Legislative Council and the Speaker of the Legislative Assembly, dated November 2010.

Votes and Proceedings: 3 May 2011, p. 19.

Hansard: 3 May 2011, galley p. 11.

SESSIONAL ORDERS

1.27 *Adoption of sessional orders*

Sessional Orders were adopted by the House in relation to: the routine of business; bells; restrictions on quorum calls; adjournment of the House; maximum time limits for debate and speeches; matters of privilege not suddenly arising; placing or disposal of business; program for general business days; general business; re-ordering of general business; debate on general business notice of motions; private members' statements; written questions; restrictions on divisions; and committee reports – tabling in the House and debate.

Votes and Proceedings: 3 May 2011, pp. 37-44.

Hansard: 3 May 2011, galley pp. 15-20.

Standing Order 364

1.28 *Adoption of sessional order – petitions*

Sessional Orders were adopted by the House to provide for discussion on petitions signed by 10,000 or more persons, and in relation to: the procedure for lodgement and presentation of petitions; petitions deemed to have not been received; and maximum time limits for debates and speeches.

Votes and Proceedings: 4 May 2011, pp.53-54.

Hansard: 4 May 2011, galley pp. 63-64.

Standing Order 364

SPEAKER

1.29 *Election of Speaker*

After Members had been sworn the Member for South Coast, Mrs Shelley Hancock, as the only nominee, was declared to be elected Speaker. The Premier, Leader of the Opposition and Deputy Premier congratulated Mrs Hancock.

Votes and Proceedings: 3 May 2011, p. 5.

Hansard: 3 May 2011, galley, p. 2.

Standing Orders 10 and 11

1.30 *Election of Deputy Speaker and Assistant Speaker*

On the motion of the Deputy Premier and Leader of The Nationals, seconded by the Premier, Mr Thomas George MP was elected unopposed as Deputy Speaker and Mr Andrew Fraser was elected unopposed as Assistant Speaker.

Votes and Proceedings: 3 May 2011, p. 5.

Hansard: 3 May 2011, galley, pp. 5-6.

Standing Orders 12, 13 and 14

1.31 *Temporary Speakers*

The Speaker nominated five Members to act as Temporary Speakers in the absence of the Deputy Speaker and the Assistant Speaker.

Votes and Proceedings: 6 May 2011, p. 66.

Hansard: 6 May 2011, galley p. 35.

Standing Order 19