



PROCEDURAL HIGHLIGHTS

Legislative Assembly

FIFTY-FIFTH PARLIAMENT, FIRST SESSION

NO. 6: 6 SEPTEMBER – 15 SEPTEMBER 2011

SEPTEMBER 2011				
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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.

BUSINESS

6.1 Motions Accorded Priority – Both Notices Considered

Standing orders were suspended to permit consideration of both notices for motions to be accorded priority.

Votes and Proceedings: 7 September 2011, pp. 322-3

Hansard: 7 September 2011, galley pp. 46-7

Standing Order 109

Standing Order 365

(NB: Standing Orders were required to be suspended as Standing Order 109 only provides for one notice of motion to be accorded priority on days when a motion accorded priority is considered).

6.2 Provision for a 'Take Note' Debate on the Budget Estimates and related papers

Standing orders were suspended to provide for a 'Take Note' debate on the Budget Estimates and related papers for 2011-2012 after the Appropriation and cognate bill had been passed by the House.

Votes and Proceedings: 7 September 2011, p. 323 & 8 September 2011, p. 327

Hansard: 7 September 2011, galley pp. 47 & 8 September 2011, galley p. 5

Standing Order 365

(NB: The practice over recent years has been for the Appropriation Bills and cognate bill(s) to be passed with limited speakers and no consideration in detail. The 'Take Note' debate provides an opportunity for Members to speak to the budget after the bills have passed the House).

6.3 *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 from certain citizens "requesting 24-hour road and helicopter retrieval services for the Central West region." In accordance with the sessional order, no question was put at the conclusion of the discussion.

Votes and Proceedings: 8 September 2011, p. 333

Hansard: 8 September 2011, galley pp. 62-7

Standing Order 125A (adopted as a sessional order)

(NB: This is a new procedure adopted as a sessional order for the current Parliament. This is the seventh occasion the procedure was used.)

6.4 *Leave of the House obtained to enable Member to conclude speech*

The Acting Speaker obtained the leave of the House to postpone the next item of business (orders of the day (committee reports)) to permit a member to conclude their speech on a Government Bill.

Votes and Proceedings: 9 September 2011, p. 337

Hansard: 9 September 2011, galley p. 30

Standing Order 96

Standing Order 97 (as amended by sessional order)

(NB: Leave was required as the routine of business set out in Standing Order 97, as amended by sessional order, provides for government business to be interrupted at 1.00 pm on the last sitting day of the week for consideration of committee reports presented).

6.5 *Address in Reply adopted and received by the Governor*

The Address in Reply to the Governor's opening speech was adopted by the House. The House proceeded to Government House at the time communicated to the Speaker by the Governor. After the Address in Reply had been received by the Governor, the Speaker reported to the House the Governor's answer:

"It gives me much pleasure to receive your Address and to thank you for your expression of loyalty to Australia and the people of New South Wales.

I am also glad to have your assurance that earnest consideration will be given to the measures to be submitted to you and the necessary provision for the Public Services made in due course.

I have every confidence that your labours will advance the general welfare and happiness of the people of this State."

Votes and Proceedings: 12 September 2011, p. 342 & 13 September 2011, pp. 345-6

Hansard: 12 September 2011, galley p. 50 & 13 September, galley p. 1

Standing Order 6

Standing Order 7

(NB: In accordance with Standing Order 7 the Address in Reply is presented to the Governor by the Speaker accompanied by the mover and seconder and other members of the House).

6.6 *Leave of the House obtained to enable Member to conclude speech*

A member obtained the leave of the House to conclude his speech on the matter of public importance at the time for the adjournment of the House.

Votes and Proceedings: 12 September 2011, p. 343

Hansard: 12 September 2011, galley p. 65

Standing Order 96

Standing Order 97 (as amended by sessional order)

(NB: Leave was required as the routine of business set out in Standing Order 97, as amended by sessional order, provides for the House to adjourn at 7.30 pm on the first sitting day of the week).

6.7 *Reordering of General Business*

The House agreed to give precedence to a general business notice of motion regarding Surf Life Saving on Thursday 15 September 2011.

Votes and Proceedings: 14 September 2011, p. 353

Hansard: 14 September 2011, galley p.

Standing Orders 105 & 106

(NB: In accordance with Standing Orders 105 and 106 any notice of motion granted precedence has precedence of other notices but not general business orders of the day that have been interrupted in accordance with the routine of business, as such orders of the day have precedence over other notices or orders).

6.8 *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 from certain citizens "requesting a ban on exotic animals performing in circuses." In accordance with the sessional order, no question was put at the conclusion of the discussion.

Votes and Proceedings: 14 September 2011, p. 355

Hansard: 14 September 2011, galley pp. 75-9

Standing Order 125A (adopted as a sessional order)

(NB: This is a new procedure adopted as a sessional order for the current Parliament. This is the eighth occasion the procedure was used.)

6.9 *Consent of the House obtained to enable Member to conclude speech*

The Acting Speaker obtained the consent of the House at the time for the adjournment of the House for a member to conclude their private member's statement.

Votes and Proceedings: 14 September 2011, p. 355

Standing Order 97 (as amended by sessional order)

(NB: Consent, concurrence or leave was required as the routine of business set out in Standing Order 97, as amended by sessional order, provides for the House to adjourn at 7.30 pm on the third sitting day of the week).

6.10 *Leave of the House obtained for additional speakers on a general business motion*

Three additional members were able to speak to a general business motion regarding surf life saving with the leave of the House.

Votes and Proceedings: 15 September 2011, p. 358

Hansard: 15 September 2011, galley pp. 10, 11 & 12

Standing Order 96

Standing Order 107

(NB: Leave was required as Standing Order 107 provides for only 6 members to speak during the debate, inclusive of the Mover).

6.11 *Leave of the House obtained for private members' statements to be given past the time for adjournment*

Five members were able to give private members' statements with the leave of the House after the time set down for adjournment.

Hansard: 15 September 2011, galley pp. 55, 56, 57 & 58

Standing Order 96

Standing Order 97 (as amended by sessional order)

(NB: Leave was required as Standing Order 97 provides for the House to adjourn at 4.30 pm on the last sitting day of the week).

BILLS

6.12 *Request for a free conference*

The Deputy Speaker reported a message from the Legislative Council in relation to the Graffiti Legislation Amendment Bill requesting a free conference with the Legislative Assembly. The Legislative Assembly had previously disagreed to amendments made by the Legislative Council. The message was set down as an Order of the Day for consideration at a later time and is yet to be considered by the House.

Votes and Proceedings: 13 September 2011, p. 348

Hansard: 13 September 2011, galley p. 30

Standing Order 226

Standing Orders 341-350

(NB: The Standing Orders provide for a free conference to be convened when there is disagreement between the two Houses on a bill. However, Standing Order 226 provides that if the Assembly disagrees to amendments made by the Council, the Council may return the bill with a message insisting on the amendments to which the Assembly has disagreed. The Standing Order then provides that the Assembly may agree to the amendments to which it had previously disagreed; insist on its disagreement to such amendments and lay the bill aside; or request a conference. The Legislative Assembly is currently considering its options. It should be noted that a free conference has not been held by both Houses since January 1978).

COMMITTEES

6.13 Notification of inquiry

The Chair of the Joint Standing Committee on Road Safety informed the House that the Committee had received a referral from the Minister for Roads and Ports to conduct an inquiry into School Zone Safety.

Votes and Proceedings: 6 September 2011, p. 313

Hansard: 6 September 2011, galley p. 35

Standing Order 299(1)

6.14 Notification of inquiry

The Chair of the Public Accounts Committee informed the House that the Committee had resolved to conduct the following two inquiries: (1) Follow up of the Performance Audits of the Auditor-General from October 2009 to September 2010; and (2) Follow up of the Auditor-General's 2010 Financial Audit Reports of 2010.

Votes and Proceedings: 7 September 2011, p. 322

Hansard: 7 September 2011, galley p. 45

Standing Order 299(1)

6.15 Notification of inquiry

The Chair of the Social Policy Committee informed the House that the Committee had received a referral from the Premier, and Minister for Western Sydney to conduct an inquiry into international student accommodation in New South Wales.

Votes and Proceedings: 8 September 2011, p. 329

Hansard: 8 September 2011, galley p. 36

Standing Order 299(1)

DIVISIONS

6.16 Five Members or Fewer

Without completing the division, the Speaker declared the question on a general business motion regarding compensation to farmers for environmental land negated as there were only four members in the minority who had challenged her decision.

Votes and Proceedings: 9 September 2011, p. 335

Hansard: 9 September 2011, galley pp. 5-6

Standing Order 181

QUESTION TIME

6.17 *Request for additional information*

A Member in accordance with Standing Order 131(3) requested additional information from the Minister for Health, and Minister for Medical Research after the 5 minutes for answering the original question had expired. The Speaker permitted additional information to be provided.

Votes and Proceedings: 6 September 2011, p. 312

Hansard: 6 September 2011, galley p. 32

Standing Order 131(3)

6.18 *Request for additional information*

A Member in accordance with Standing Order 131(3) requested additional information from the Minister for Mental Health, Minister for Healthy Lifestyles, and Minister for Western New South Wales after the 5 minutes for answering the original question had expired. The Speaker permitted additional information to be provided.

Votes and Proceedings: 7 September 2011, p. 322

Hansard: 7 September 2011, galley p. 44

Standing Order 131(3)

6.19 *Question ruled out of order*

The Speaker ruled a question out of order in accordance with Standing Order 128 as it contained an expression of opinion, imputations and inference (i.e. that the Premier had become "...arrogant, conceited and out of touch...").

Hansard: 8 September 2011, p. 31

Standing Order 128

6.20 *Request for additional information*

A Member in accordance with Standing Order 131(3) requested additional information from the Minister for Ageing and Minister for Disability Services after the 5 minutes for answering the original question had expired. The Speaker permitted additional information to be provided.

Votes and Proceedings: 9 September 2011, p. 337

Hansard: 9 September 2011, galley p. 37

Standing Order 131(3)

6.21 *Request for additional information*

A Member in accordance with Standing Order 131(3) requested additional information from the Minister for Sport and Recreation after the 5 minutes for answering the original question had expired. The Speaker permitted additional information to be provided.

Votes and Proceedings: 13 September 2011, p. 346

Hansard: 13 September 2011, galley p. 20

Standing Order 131(3)

6.22 *Request for additional information*

A Member in accordance with Standing Order 131(3) requested additional information from the Minister for Fair Trading after the 5 minutes for answering the original question had expired. The Speaker permitted additional information to be provided.

Votes and Proceedings: 14 September 2011, p. 353

Hansard: 14 September 2011, galley p. 47

Standing Order 131(3)

6.23 *Request for additional information*

A Member in accordance with Standing Order 131(3) requested additional information from the Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast after the 5 minutes for answering the original question had expired. The Speaker permitted additional information to be provided.

Votes and Proceedings: 15 September 2011, p. 360

Hansard: 15 September 2011, galley p. 38

Standing Order 131(3)

6.24 *Request for additional information*

A Member in accordance with Standing Order 131(3) requested additional information from the Minister for Sport and Recreation after the 5 minutes for answering the original question had expired. The Speaker permitted additional information to be provided.

Votes and Proceedings: 15 September 2011, p. 360

Hansard: 15 September 2011, galley p. 41

Standing Order 131(3)