



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SIXTH PARLIAMENT, FIRST SESSION
NO. 1/2018: 6 – 15 FEBRUARY 2018

February 2018				
M	T	W	T	F
5	6	7	8	9
12	13	14	15	16

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.

BILLS

Saint John's College Bill 2017

The Saint John's College Bill 2017 was introduced into the Legislative Assembly on 22 November 2017 and debated and passed by the Assembly, with amendments, on 14 February 2018. The bill repealed the *Saint John's College Act 1857*, and, amongst other things, constituted the rector and fellows of Saint John's College as a corporation. This is an unusual bill in that the principal Act which the bill repeals was introduced into the Legislative Assembly in 1857 as a private bill, but the amending legislation was introduced as a public bill during Government Business.

The full details of the [bill](#) can be found on the Parliament of NSW website.

Votes and Proceedings: 22/11/2017, pp. 1524-5; 14/2/2018, pp. 1584-6.

Standing Orders 188, 203 & 358.

(Procedural note: Under Standing Orders two types of bills can be introduced into the Legislative Assembly, private bills and public bills. A private bill deals with matters for the particular interest or benefit of a person or body of persons. It is not a measure dealing with public policy and is therefore not sponsored by the Government, but by a private Member. A private bill can only be initiated by petition, and if it becomes an Act it is not numbered.

A private bill should not be confused with a public bill that is introduced by a private Member. Since 1992 no private bills have been introduced into the Legislative Assembly.

A public bill is one which deals with a matter or matters of general public interest and may be introduced and sponsored through both Houses by either a Minister or a private Member. Public bills are allocated an Act number when they are passed by the Parliament and assented to by the Governor.)

BUSINESS

Motion to censure the Minister for Transport and Infrastructure

Before Question Time on 6 February 2018 Ms Jodi McKay MP gave notice of a motion that the House censures the Minister for Transport and Infrastructure for:

- (1) Misleading the people of New South Wales and wasting \$100,000 of taxpayer funds on a rigged ferry naming competition;
- (2) Failing to respect transport workers who are the lifeblood of the public transport system;
- (3) Imposing a shambolic and unworkable train timetable on Sydney;
- (4) Forcing a disastrous and unworkable bus timetable on the people of the Hunter region;
- (5) Spending billions of dollars on new inter-city trains that are built overseas and don't even fit on the tracks;
- (6) Breaking an election promise and privatising inner west bus services;
- (7) Ignoring the impact of construction of the CBD light rail on small businesses; and
- (8) Behaving with arrogance, belligerence and truculence and in a manner that does not befit a holder of ministerial office.

After Question Time Standing and Sessional Orders were suspended to permit the censure motion to be considered before determining the Motion Accorded Priority; for the debate on the motion to be limited to the mover, the Member named, one other Government Member and one non-Government Member; and for each of the speakers to be given up to 5 minutes' speaking time.

Later, Ms McKay moved the motion, which was debated in accordance with the suspension and negatived on division.

Votes and Proceedings: 6/2/2018, pp. 1554-5 & pp. 1556-7.

Standing Orders 97, 114 and 365.

(Procedural note: A motion censuring a Member may be moved in accordance with Standing Order 114.

Notice of a Member's intention to move a motion of censure must be given prior to Question Time when the Speaker calls for notices of motions for Business with Precedence. The Member will then be called on to move the motion on the same day that the notice was given, during the time set aside in the Routine of Business for considering Business with Precedence.

Standing Order 114 sets out the maximum number of speakers that may speak on a motion of censure of a Member and the maximum time limits that apply to each speaker.

In this case, Standing and Sessional Orders were suspended to permit the motion to be considered outside the allotted time in the Routine of Business, and to reduce the number of speakers on the motion, as well as their speaking times.)

SPEAKER

Speaker's statement on the 10th Anniversary of the National Apology to the Stolen Generation

On 13 February 2018 the Speaker made a statement in relation to the 10th Anniversary of the National Apology to the Stolen Generation.

Votes and Proceedings: 13/2/2018, p. 1576.

Hansard (Proof): 13/2/2018, p. 20.

Speaker's statement on the death of Sir Nicholas Shehadie

On 13 February 2018 the Speaker made a statement in relation to the death, on 11 February 2018, of Sir Nicholas Shehadie AC, OBE.

Votes and Proceedings: 13/2/2018, p. 1576.

Hansard (Proof): 13/2/2018, pp. 20-1.

Speaker's statement on the 40th Anniversary of the bombing of the Hilton Hotel

On 13 February 2018 the Speaker made a statement in relation to the 40th Anniversary of the bombing of the Hilton Hotel in Sydney. The bombing was also discussed on 14 February 2018 by several Members as a Matter of Public Importance.

Votes and Proceedings: 13/2/2018, p. 1576; 14/2/2018, p. 1591.

Hansard (Proof): 13/2/2018, p. 21; 14/2/2018, pp. 57-9.

Speaker's statement on the Tongan cyclone damage

On 14 December 2018 the Speaker made a statement in relation to the damage suffered by Tonga following a class four cyclone the previous day, including the destruction of the building housing the Tongan Parliament.

Votes and Proceedings: 14/2/2018, p. 1587.

Hansard (Proof): 14/2/2018, p. 37.

MEMBERS

Joint sitting to fill a vacancy in the Senate

On 14 February 2018 Members of the Legislative Assembly attended the Legislative Council Chamber for a joint sitting to elect a person to fill a vacancy in the Senate caused by the resignation of Senator the Hon. Sam Dastyari.

At the conclusion of the election the Legislative Assembly Members returned to the Assembly Chamber and the Deputy Speaker reported that the Hon. Kristina Keneally had been elected to fill the vacancy in NSW's representation in the Senate of the Commonwealth of Australia.

Votes and Proceedings: 14/2/2018, p. 1589.

(Procedural note: In the Commonwealth Senate, section 15 of the Commonwealth of Australia *Constitution Act 1900* provides that casual vacancies are filled by an election conducted during a joint sitting of the Parliament (except in Queensland, which has a unicameral Parliament) of the State that the outgoing Senator represented. Senators elected to fill casual vacancies must be from the same political party as the outgoing Senator. For more information on casual vacancies in the Senate, see Chapter 1 of Odgers' *Australian Senate Practice (13th Ed.)*.)

COMMITTEES

Inquiries into a review of the 2016-17 Annual Report of the Health Care Complaints Commission and Cosmetic Health Service Complaints in NSW

On 13 February 2018 Mr Adam Crouch MP, Chair of the Committee on the Health Care Complaints Commission, informed the House that the Committee had resolved to conduct the following two inquiries:

- (1) Review of the 2016-17 Annual Report of the Health Care Complaints Commission; and
- (2) Cosmetic health service complaints in NSW.

The full details of the inquiries are available on the Committee's [webpage](#).

Votes and Proceedings: 13/2/2018, p. 1577.

Standing Order 299 (1).