



New South Wales

# Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

The *Constitution (Parliamentary Cooling-Off Period—Referendum) Bill 2026* is cognate with this Bill.

## Overview of Bill

The object of this Bill is to amend the *Constitution Act 1902* to provide for a 90-day period after certain significant events during which Bills may not be introduced, debated or enacted or regulations made.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## Schedule 1 Amendment of Constitution Act 1902 No 32

**Schedule 1** inserts proposed Part 11 (proposed section 58) into the *Constitution Act 1902* to provide that, during the period of 90 days commencing on the occurrence of a significant event—

- (a) a Bill for a purpose related to the significant event must not be introduced into, debated or voted on in Parliament, and
- (b) a regulation for a purpose related to the significant event must not be made.

The proposed section defines a *significant event* to be an act or occurrence within New South Wales or directly affecting residents of New South Wales that results in widespread public grief, outrage or panic in New South Wales. Examples of a *significant event* include the following—

- (a) an act of terrorism,
- (b) a mass casualty event,
- (c) an outrageous or heinous crime,
- (d) an event publicly acknowledged by an official day of mourning or remembrance,
- (e) another event triggering public grief, outrage or panic.

The proposed prohibition does not apply to the following—

- (a) an Appropriation Bill,
- (b) a Bill or regulation about the provision of victim support or compensation,
- (c) a Bill or regulation about an inquiry or investigation of a significant event.

The proposed section is “entrenched” by proposed section 58(4), which provides that a Bill that expressly or by implication repeals, alters, dispenses with or varies the proposed section must not be presented to the Governor for assent unless the third reading of the Bill is passed by a special majority, being 90%, of the Legislative Assembly and the Legislative Council, respectively.



New South Wales

# Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026

## Contents

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		Page
	1 Name of Act	2
	2 Commencement	2
<b>Schedule 1</b>	<b>Amendment of Constitution Act 1902 No 32</b>	<b>3</b>

*This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

*Legislative Council*

*Clerk of the Parliaments*



New South Wales

## **Constitution Amendment (Parliamentary Cooling-Off Period) Bill 2026**

No. \_\_\_\_\_, 2026

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### **A Bill for**

An Act to amend the *Constitution Act 1902* to provide for a 90-day period after certain significant events during which Bills may not be introduced, debated or enacted or regulations made; and for related purposes.

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See also the *Constitution (Parliamentary Cooling-Off Period—Referendum) Bill 2026*.

*The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*

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**Tabling copy**

**The Legislature of New South Wales enacts—**

1

**1 Name of Act**

2

This Act is the *Constitution Amendment (Parliamentary Cooling-Off Period) Act 2026*.

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**2 Commencement**

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This Act commences on the date of assent to this Act.

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<b>Schedule 1</b>	<b>Amendment of Constitution Act 1902 No 32</b>	1
<b>Part 11</b>		2
Insert after Part 10—		3
<b>Part 11</b>	<b>Parliamentary cooling-off period</b>	4
<b>58</b>	<b>Cooling-off period after significant events</b>	5
(1)	During the period of 90 days commencing on the occurrence of a significant event—	6 7
(a)	a Bill for a purpose related to the significant event must not be introduced into, debated or voted on in Parliament, and	8 9
(b)	a regulation for a purpose related to the significant event must not be made.	10 11
(2)	To avoid doubt, an Act enacted or regulation made in contravention of subsection (1) is void.	12 13
(3)	This section does not apply to the following—	14
(a)	an Appropriation Bill,	15
(b)	a Bill or regulation about the provision of victim support or compensation,	16 17
(c)	a Bill or regulation about an inquiry or investigation of the significant event.	18 19
(4)	A Bill that expressly or by implication repeals, alters, dispenses with or varies this section must not be presented to the Governor for assent unless the third reading of the Bill is passed by a special majority of the Legislative Assembly and the Legislative Council.	20 21 22 23
(5)	In this section—	24
	<b>significant event</b> means an act or occurrence within New South Wales or directly affecting residents of New South Wales that results in widespread public grief, outrage or panic in New South Wales.	25 26 27
	<b>Examples—</b>	28
(a)	an act of terrorism	29
(b)	a mass casualty event	30
(c)	an outrageous or heinous crime	31
(d)	an event publicly acknowledged by an official day of mourning or remembrance	32
(e)	another event triggering public grief, outrage or panic	33
	<b>special majority</b> means 90% of the whole number of the members of the Legislative Assembly or Legislative Council, respectively.	34 35