



New South Wales

Constitution Amendment (Virtual Attendance) Bill 2021

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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 (Virtual Attendance) Bill 2021

Act No , 2021

A Bill for

An Act to amend the *Constitution Act 1902* to enable members of Parliament to attend meetings of Houses of Parliament remotely.

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| The Legislature of New South Wales enacts— | 1 |
| 1 Name of Act | 2 |
| This Act is the <i>Constitution Amendment (Virtual Attendance) Act 2021</i> . | 3 |
| 2 Commencement | 4 |
| This Act commences on the date of assent to this Act. | 5 |
| 3 Amendment of Constitution Act 1902 No 32 | 6 |
| (1) Section 3, heading | 7 |
| Omit “ Definitions ”. Insert instead “ Interpretation ”. | 8 |
| (2) Section 3(2)–(4) | 9 |
| Insert at the end of the section— | 10 |
| (2) For sections 22H, 22I and 32, in relation to ascertaining a quorum for, or determining a question in, a House of Parliament, a Member of Parliament is taken to be present at a meeting of the House if the Member attends the meeting remotely using an audio visual link in accordance with— | 11 12 13 14 15 |
| (a) the Standing Rules and Orders of the House, or | 16 |
| (b) a resolution or sessional order of the House. | 17 |
| (3) Subsection (2) has effect for a House of Parliament only if the Presiding Officer of the House has declared that— | 18 19 |
| (a) it will be impracticable for Members of the House to meet in person during a specified period due to a public emergency, including a public health crisis, natural disaster, major accident, civil disturbance or act of terrorism, and | 20 21 22 23 |
| (b) a majority of the Members of the House have requested remote attendance of the House be permitted under this section during the specified period. | 24 25 26 |
| (4) A Member is taken to have made a request under subsection (3)(b) if the following person has made the request on the Member’s behalf— | 27 28 |
| (a) if the Member belongs to a party—the Member’s party leader, | 29 |
| (b) a Member of Parliament nominated by the Member to the Presiding Officer. | 30 31 |