



Sessional and Other Orders

LEGISLATIVE ASSEMBLY

Fifty-Fourth Parliament, First Session

No. 9

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As at 24 November 2010

CITIZENS' RIGHT OF REPLY

(Adopted 8 May 2007, Votes and Proceedings p.38)

That, during the current Parliament, unless otherwise ordered, the following Citizens' Right of Reply be adopted:

- (1) That where a submission is made in writing by a person who has been referred to in the Legislative Assembly by name, or in such a way as to be readily identified:
 - (a) claiming that the person or corporation has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person or corporation; and
 - (b) requesting that the person be able to incorporate an appropriate response in Hansard,

and the Speaker is satisfied:

- (c) that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that it be considered by the Standing Orders and Procedure Committee;
- (d) the submission was received within 6 months after the relevant comments were made in the House unless the applicant can show exceptional circumstances to explain the delay; and
- (e) that it is practicable for the Committee to consider the submission under this resolution,

the Speaker shall refer the submission to that Committee.

- (2) That the Committee may decide not to consider a submission referred to it under this resolution if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the Legislative Assembly.
- (3) That if the Committee decides to consider a submission under this resolution, the Committee may confer with the person who made the submission and with any member who referred to that person or corporation in the Legislative Assembly.
- (4) That in considering a submission under this resolution, the Committee shall meet in private session.
- (5) That the Committee shall not publish a submission referred to it under this resolution or its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the Legislative Assembly.

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- (6) In considering a submission under this resolution and reporting to the Legislative Assembly the Committee shall not consider or judge the truth of any statements made in the Legislative Assembly or the submission.
- (7) That in its report to the Legislative Assembly on a submission under this resolution, the Committee may make either of the following recommendations:
- (a) that no further action be taken by the Committee or the Legislative Assembly in relation to the submission; or
 - (b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person or corporation and the Committee, be published by the Legislative Assembly or incorporated in Hansard, and shall not make any other recommendations.
- (8) That a document presented to the Legislative Assembly under paragraph (5) or (7):
- (a) in the case of a response by a person or corporation who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and
 - (b) shall not contain any matter the publication of which would have the effect of:
 - (i) unreasonably adversely affecting or injuring a person or corporation, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or
 - (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
- (9) That a corporation making a submission under this resolution is required to make it under their common seal.

CODE OF CONDUCT FOR MEMBERS

(Adopted 8 May 2007, Votes and Proceedings p.34; * amended 20 June 2007, Votes and Proceedings p.154)

That this House adopt, for the purposes of section 9 of the Independent Commission Against Corruption Act 1988, the following code of conduct:

PREAMBLE

The Members of the Legislative Assembly and the Legislative Council have reached agreement on a Code of Conduct which is to apply to all Members of Parliament.

Members of Parliament recognise that they are in a unique position of being responsible to the electorate. The electorate has the right to dismiss them from office at regular elections.

Members of Parliament acknowledge their responsibility to maintain the public trust placed in them by performing their duties with honesty and integrity, respecting the law and the institution of Parliament, and using their influence to advance the common good of the people of New South Wales.

Members of Parliament acknowledge that their principal responsibility in serving as Members is to the people of New South Wales.

THE CODE

1 Disclosure of conflict of interest

- (a) Members of Parliament must take all reasonable steps to declare any conflict of interest between their private financial interests and decisions in which they participate in the execution of their office.
- (b) This may be done through declaring their interests on the Register of Disclosures of the relevant House or through declaring their interest when speaking on the matter in the House or a Committee, or in any other public and appropriate manner.
- (c) A conflict of interest does not exist where the member is only affected as a member of the public or a member of a broad class.

2 Bribery

- (a) A Member must not knowingly or improperly promote any matter, vote on any bill or resolution or ask any question in the Parliament or its Committees in return for any remuneration, fee, payment, reward or benefit in kind, of a private nature, which the member has received, is receiving or expects to receive.
- (b) A Member must not knowingly or improperly promote any matter, vote on any bill or resolution or ask any question in the Parliament or its Committees in return for any remuneration, fee, payment, reward or benefit in kind, of a private nature, which any of the following persons has received, is receiving or expects to receive:
 - (i) A member of the Member's family;

- (ii) A business associate of the Member; or
 - (iii) Any other person or entity from whom the Member expects to receive a financial benefit.
- (c) A breach of the prohibition on bribery constitutes a substantial breach of this Code of Conduct.

3 Gifts

- (a) Members must declare all gifts and benefits received in connection with their official duties, in accordance with the requirements for the disclosure of pecuniary interests.
- (b) Members must not accept gifts that may pose a conflict of interest or which might give the appearance of an attempt to improperly influence the Member in the exercise of his or her duties.
- (c) Members may accept political contributions in accordance with part 6 of the Election Funding Act 1981.

4 Use of public resources

Members must apply the public resources to which they are granted access according to any guidelines or rules about the use of those resources.

5 Use of confidential information

Members must not knowingly and improperly use official information which is not in the public domain, or information obtained in confidence in the course of their parliamentary duties, for the private benefit of themselves or others.

6 Duties as a Member of Parliament

It is recognised that some members are non-aligned and others belong to political parties. Organised parties are a fundamental part of the democratic process and participation in their activities is within the legitimate activities of Members of Parliament.

7 Secondary employment or engagements

Members must take all reasonable steps to disclose at the start of a parliamentary debate:

- (a) the identity of any person by whom they are employed or engaged or by whom they were employed or engaged in the last two years (but not if it was before the Member was sworn in as a Member);
- (b) the identity of any client of any such person or any former client who benefited from a Member's services within the previous two years (but not if it was before the Member was sworn in as a Member); and
- (c) the nature of the interest held by the person, client or former client in

the parliamentary debate.

This obligation only applies if the Member is aware, or ought to be aware, that the person, client or former client may have an interest in the parliamentary debate which goes beyond the general interest of the public.

This disclosure obligation does not apply if a Member simply votes on a matter; it will only apply when he or she participates in a debate. If the Member has already disclosed the information in the Member's entry in the pecuniary interest register, he or she is not required to make a further disclosure during the parliamentary debate.

This resolution has continuing effect unless and until amended or rescinded by resolution of the House.

* Clause 2 of Code on bribery amended.

LEADER OF THE HOUSE AND ASSISTANT SPEAKERS

(Adopted 8 May 2007, Votes and Proceedings p.7)

That, for the duration of the current Parliament, unless otherwise ordered:

- (1) All provisions of the standing orders that apply to Ministers be read as also applying to the Leader of the House; and
- (2) All provisions of the standing orders that apply to the election and role of the Assistant Speaker be read as also applying to a second Assistant Speaker.

MEETING—DAYS (2010)

(Adopted 24 September 2009, Votes and Proceedings p.1616)

That unless otherwise ordered, the House meet during the 2010 budget and spring sittings on the following days:

Budget Sittings: February 23, 24, 25; March 9, 10, 11, 12, 16, 17, 18, 19; April 20, 21, 22, 23; May 11, 12, 13, 14, 18, 19, 20, 21; June 1, 2, 3, 4, 8, 9, 10, 11, 22, 23, 24, 25.

Spring Sittings: August 31; September 1, 2, 7, 8, 9, 10, 21, 22, 23, 24; October 19, 20, 21, 22, 26, 27, 28, 29; November 9, 10, 11, 12, 23, 24, 25, 26, 30; December 1, 2, 3, 7, 8, 9, 10.

VALEDICTORY SPEECHES

(Adopted 23 November 2010, Votes and Proceedings p.2481)

That, during the current session, unless otherwise ordered:

- (1) A motion may be moved without notice, amendment or debate for the business before the House to be interrupted at a specified time (but not so as to interrupt a member speaking) to permit a member to make a valedictory speech without a question being before the House. Any interrupted business shall be resumed on completion of the speech.
 - (2) The time limit for valedictory speeches will be 15 minutes with a 5 minute extension.
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LEGISLATIVE ASSEMBLY SITTING DAY SCHEDULE (as at 3 July 2009)

Tuesday	Wednesday	Thursday	Friday
	10.00 am Meeting of House Notices of Motions (General Notices) Government Business	10.00 am Meeting of House Notices of Motions (General Notices) Government Business	10.00 am Meeting of House Notices of Motions (Government Business) Notices of Motions (General Notices) Petitions Introduction of General Business Notices of Motions for Bills Government Business
1.00 pm Meeting of House Notices of Motions (General Notices) Private Members' Statements	1.30 pm Lunch	11.45 am Debate on General Business Notices of Motions or Orders of the Day (not being Bills)	10.30 am 1.00 pm Committee Reports (Take Note Debate)
2.15 pm Routine of Business and Question Time	2.15 pm Routine of Business and Question Time	1.30 pm Lunch	1.30 pm Private Members' Statements
Approx. 3.30 pm Motion Accorded Priority	Approx. 3.30 pm Motion Accorded Priority	2.15 pm Routine of Business and Question Time	Approx. 2.30 pm Adjournment (at the conclusion of Private Members' Statements)
At 4.30 pm Government Business	At 4.30 pm Government Business	Approx. 3.30 pm Motion Accorded Priority	
7.00 pm Matter of Public Importance	At 5.45 pm Private Members' Statements	At 4.30 pm Debate on General Business Orders of the Day for Bills	
7.30 pm Adjournment	7.00 pm Matter of Public Importance	At 5.30 pm Private Members' Statements	
	7.30 pm Adjournment	6.30 pm Adjournment (at the conclusion of Private Members' Statements)	