



# PROCEDURAL DIGEST

Legislative Assembly

FIFTY-FIFTH PARLIAMENT, FIRST SESSION

NO. 2/2014: 25 FEBRUARY – 6 MARCH 2014

February - March 2014					
M	T	W	T	F	S
24	25	26	27	28	
3	4	5	6	7	

*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.*

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## BILLS

### ***Division declared by the Speaker***

On 6 March 2014, a division was called for on the question of whether the *Crimes Amendment (Intoxication) Bill* be now read a second time. There being only three members among the Noes, the Deputy Speaker declared the question to be resolved in the affirmative.

(NB: Standing Order 181 provides that where there are five or fewer Members on a side in a division, without completing the division, the Speaker shall declare the question resolved and the number in the minority and their names shall be recorded in the Votes and Proceedings).

*Votes and Proceedings: 6/3/2014, p. 2078*

*Hansard: 6/3/2014, p.27257*

### **Standing Order 181**

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## BUSINESS

### ***Quorum call***

On 25 February 2014, during the Take Note debate on the *Crimes and Other Legislation Amendment (Assault and Intoxication) Bill 2014*, Ms Cherie Burton MP, drew the Assistant-Speaker's attention to the absence of a quorum in the House.

The bells having been rung and a quorum having formed, Mr Tim Owen MP resumed his speech. However because during the calling of a quorum a member's speaking time continues, Mr Owen's speaking time was reduced.

(NB: At the commencement of a sitting there must be at least 20 Members present in the Chamber, not including the member presiding (section 32, Constitution Act 1902).

Standing Order 41 provides that if, during a sitting, a member states that a quorum is not present in the Chamber; the Speaker will count the number of members present and ring the bells for up to four minutes until a quorum is formed. If a quorum cannot be formed, the House will be adjourned.

Standing Order 42 gives the Speaker discretion not to proceed with a second or subsequent quorum call on the same sitting day).

*Hansard: 25/2/2014, p. 26742*

**Standing Order 41**

**Standing Order 42**

**Standing Order 85**

#### ***Rescheduling of Petition discussion***

On 25 February 2014, the House agreed to a suspension of standing orders so that two petition debates might take place consecutively on Thursday 6 March 2014.

The suspension, which was moved by the Leader of the House, rescheduled consideration of the petition on the funding and construction of a new hospital at Muswellbrook from Thursday 27 February 2014 to Thursday 6 March 2014 for logistical reasons.

The suspension then provided for debate to be followed by consideration of the petition on reinstatement of the winching capacity for the Rescue Helicopter Service at Tamworth, already set down for that day.

*Votes and Proceedings: 25/2/2014, p.2041*

*Hansard: 25/2/2014, p. 26724.*

**Standing Order 125A (as adopted by sessional order)**

**Standing Order 365**

#### ***Leave granted to extend a member's speaking time***

On 27 February 2014, the speaking time of Mr Garry Edwards MP, was extended by the leave of the House. Mr Edwards sought the extension during the take note debate on a report of the Law and Safety Committee.

Leave of the House was necessary, as this type of debate does not have provision for a member to continue beyond the designated four minutes speaking time. The granting of leave, pursuant to Standing Order 96, means that the House gives its permission for something to occur which would not otherwise be permissible. A request for leave cannot be debated, nor can leave be granted, if any one member dissents.

(NB: There are other types of debate where the Speaker may put the question that a member be allowed to continue for a further period. For example, in the case of a second reading debate on a bill, the House may resolve to grant a member an additional five minutes).

*Votes and Proceedings: 27/2/2014, p.2054*

*Hansard: 27/2/2014, p. 26862.*

**Standing Order 85**

**Standing Order 96**

**Standing Order 306**

## MEMBERS

### ***Ministerial Announcements***

On 25 February 2014 the Premier informed the House, that on 24 February 2014, Mr Daryl Maguire MP, was appointed Parliamentary Secretary to the Premier for Rural and Regional Affairs.

*Votes and Proceedings: 25/2/2014, p. 2036*

*Hansard: 25/2/2014, p.26709*

### ***Government Announcements***

On 25 February the Premier advised the House of the election, that day, of Mr Jai Rowell MP as Government Whip and Mr Andrew Cornwell MP as Deputy Government Whip.

*Votes and Proceedings: 25/2/2014, p. 2036*

*Hansard: 25/2/2014, p. 26709*

### ***Member briefly heard in explanation***

Following the conclusion of Private Members' Statements on 25 February 2014, Mr Craig Baumann gave a personal explanation in order to correct remarks which he had previously made in relation to the filming of *Mad Max* on Stockton Beach.

Standing Order 65 provides that a Member may be heard again briefly to explain a material part of their speech which has been misquoted or misunderstood.

(NB: This type of personal explanation differs from those made under Standing Order 62 which permits personal explanations to be made in relation to any matter which reflects upon the honour, character or integrity of that member, or reflects upon the member in a personal way including the refuting of accusations made against them outside the House).

*Votes and Proceedings: 25/2/2014, p. 2035*

*Hansard: 25/2/2014, p. 26709*

**Standing Order 65**

## PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY

### ***Appointment of a new Temporary Speaker***

On 25 February 2014, the Speaker informed the House that she had nominated Ms Noreen Hay MP as a Temporary Speaker in place of Ms Sonia Hornery MP.

(NB: Standing Orders provide for the Speaker to nominate, at the beginning of each Parliament, a panel of up to five members as Temporary Speakers. These Temporary Speakers may exercise the powers and duties of the Speaker whenever the Speaker, Deputy Speaker or Assistant Speaker is absent.

The Speaker may, at any time, nominate another Member to take a Temporary Speaker's place.)

*Votes and Proceedings: 25/2/2014, p. 2036.*

*Hansard: 25/2/2014, p. 26721*

**Standing Order 19**

**Standing Order 20**

***Division bells rung for an additional minute***

On 27 February 2014, on being advised that the division lights at the lifts were not flashing, the Assistant Speaker asked that the division bells be rung for an additional minute.

*Hansard: 27/2/2014, p. 26844*

**Standing Order 180**

***Disruption to IT services***

On 6 March 2014 the Speaker informed the House that, as a result of severe thunderstorms the previous evening, a number of services on the parliamentary network had been disrupted. As a precaution, Hansard staff had implemented a back-up system and would be reporting from the floor of the Chamber.

*Votes and Proceedings: 6/3/2014, p. 2073.*

*Hansard: 6/3/2014, p.27211*