



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SIXTH PARLIAMENT, FIRST SESSION

NO. 7/2015: 13 – 29 OCTOBER 2015

October 2015				
M	T	W	T	F
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

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

Standing and Sessional Orders suspended to expedite the passage of bills

On 13 October 2015 Standing and Sessional Orders were suspended to permit the resumption of the adjourned second reading debate on Wednesday 14 October 2015 (the next sitting day), and passage through all remaining stages at that or any subsequent sitting, of the following bills introduced that day:

- *Energy Legislation Amendment (Retail Electricity and Gas Price Regulation) Bill 2015* and
- *Electricity Supply Amendment (Energy Savings Scheme) Bill 2015*.

On 15 October 2015 Standing and Sessional Orders were suspended to permit the resumption of the adjourned second reading debate on Tuesday 20 October 2015 (the next sitting day), and passage through all remaining stages at that or any subsequent sitting, of the following bills introduced that day:

- *Mining and Petroleum Legislation Amendment (Grant of Coal and Petroleum Prospecting Titles) Bill 2015*
- *Mining and Petroleum Legislation Amendment (Harmonisation) Bill 2015*
- *Mining and Petroleum Legislation Amendment (Land Access Arbitration) Bill 2015*
- *Protection of the Environment Operations Amendment (Enforcement of Gas and Other Petroleum Legislation) Bill 2015* and
- *Work Health and Safety (Mines and Petroleum) Legislation Amendment (Harmonisation) Bill 2015*.

On 20 October 2015 Standing and Sessional Orders were suspended to permit the resumption of the adjourned second reading debate on Wednesday 21 October 2015 (the next sitting day), and passage through all remaining stages at that or any subsequent sitting, of the following bills introduced that day:

- *Bail Amendment Bill 2015* and cognate bill
- *Courts and Other Justice Portfolio Legislation Amendment Bill 2015*
- *Health Legislation Amendment Bill 2015* and
- *Treasury Corporation Amendment Bill 2015* and cognate bills.

On 22 October 2015 Standing and Sessional Orders were suspended to permit the resumption of the adjourned second reading debate on Tuesday 27 October 2015 (the next sitting day), and passage through all remaining stages at that or any subsequent sitting, of the following bills introduced that day:

- *Greater Sydney Commission Bill 2015*
- *Criminal Procedure Amendment (Child Sexual Offence Evidence Pilot) Bill 2015*
- *Home Building and Duties Amendment (Loose-fill Asbestos Insulation Affected Premises) Bill 2015* and
- *Privacy and Personal Information Protection Amendment (Exemptions Consolidation) Bill 2015*.

On 27 October 2015 Standing and Sessional Orders were suspended to permit the resumption of the adjourned second reading debate on Thursday 29 October 2015, and passage through all remaining stages at that or any subsequent sitting, of the following bills introduced that day:

- *Gaming and Liquor Administration Amendment Bill 2015*
- *Firearms and Weapons Prohibition Legislation Amendment Bill 2015* and cognate bill and
- *State Revenue Legislation Amendment Bill 2015*

Votes and Proceedings: 13/10/2015, pp. 361-2; 15/10/2015, pp. 380-1; 20/10/2015, pp. 384-5; 22/10/2015, p. 419; 27/10/2015, p. 426.

Hansard: 13/10/2015, pp. 4124-5; 15/10/2015, pp. 4416-7; 20/10/2015, pp. 4558-9; 22/10/2015, pp. 4941-2; 27/10/2015, p. 5807.

Standing Orders 188 and 365.

(Procedural note: Once a Minister has introduced a bill in the House and made an introductory speech, called a second reading speech, Standing Order 188 (10) provides that debate on the bill cannot resume until at least clear days ahead (i.e. if a bill is introduced on a Wednesday, debate cannot resume until the following Tuesday).

Standing and Sessional Orders must be suspended to permit the resumption of debate to occur earlier than the five clear days or for a bill to pass through all stages at one sitting. This may occur, for example, when the Government has a large volume of legislation to be considered in a short timeframe.)

Amendments to Strata Schemes Management Bill 2015 and cognate bill considered in globo

On 20 October 2015, during debate on the *Strata Schemes Management Bill 2015* and cognate bill, Mr Guy Zangari MP and Ms Jenny Leong MP flagged to move amendments in the bills. Immediately prior to the bills being considered in detail, Minister Dominello moved that Standing and Sessional Orders be suspended to provide for a question each on the amendments circulated by Mr Zangari and Ms Leong to be put *in globo* without further debate or amendment, and after, for the questions to be put on all remaining clauses and schedules of the cognate bills and their third reading.

During the Consideration in Detail stage, in accordance with the resolution, the amendments circulated by Mr Zangari and Ms Leong were negated on separate divisions and the remaining clauses and schedules were passed on two divisions. At the conclusion of the Consideration in Detail stage, the motion that the bills be read a third time was passed on division, and accordingly, the bills passed the House.

Votes and Proceedings: 20/10/2015, pp. 388-94.

Hansard: 20/10/2015, pp. 4566-604.

Standing Orders 208 and 365.

(Procedural note: After a bill has been read a second time, any Member may request that it be considered in detail. When a bill is considered in detail Members have the opportunity to move amendments to the bill, as it is dealt with clause by clause and schedule by schedule, or, with the leave of the House, in groups of clauses and groups of schedules.)

BUSINESS

Statements about the death of Curtis Cheng

On 13 October 2015 the Premier made a statement about the recent death of Mr Curtis Cheng, an employee of the NSW Police Force. The Leader of the Opposition also made a statement, in response, about Mr Cheng's death.

Votes and Proceedings: 13/10/2015, p. 355.

Hansard: 13/10/2015, pp. 4101-3.

Standing Orders 103 and 104.

Address in Reply

On 13 October 2015 the Speaker informed the House that, on 15 October 2015 at 10.15 am, His Excellency the Governor would receive the Address in Reply to His Excellency's opening speech.

To permit Members to attend the presentation of the Address in Reply, the Leader of the House moved that Standing and Sessional Orders be suspended on 15 October 2015 to provide for the Speaker to leave the Chair after opening the sitting, and then to resume the Chair at 11.30 am. The motion was passed.

On 15 October, immediately after the Deputy Speaker had commenced the sitting, the House proceeded to Government House to present the Address in Reply to the Governor. The Governor provided a response to the Address in Reply, which was reported in the House once proceedings had re-commenced and was published in full in the day's *Votes and Proceedings* and *Hansard*.

Votes and Proceedings: 13/10/2015, p. 355; 15/10/2015, pp. 373-4.

Hansard: 13/10/2015, p. 4112; 15/10/2015, p. 4375.

Standing Orders 4, 5, 6, 7, 97 and 365.

(Procedural note: The procedure for presenting the Address in Reply to the Governor is set out in [Chapter 4 of NSW Legislative Assembly Practice, Procedure and Privilege.](#))

Re-ordering of General Business

On 14 October 2015 the House agreed to the motion of Mr Kevin Anderson MP, that his General Business Notice of Motion on the Tamworth Hospital redevelopment should have precedence the following sitting day.

On 21 October 2015 the House agreed to the motion of Mr Adam Crouch MP, that his General Business Notice of Motion on OCHRE (Opportunity, Choice, Healing, Responsibility, Empowerment) should have precedence the following sitting day.

On 28 October 2015 the House agreed to the motion of Mr Ray Williams MP, that his General Business Notice of Motion on support for victims of domestic violence should have precedence the following sitting day.

Votes and Proceedings: 14/10/2015, p. 368; 21/10/2015, pp. 410-1; 28/10/2015, p. 439.

Hansard: 14/10/2015, pp. 4290-1; 21/10/2015, pp. 4808-9; 28/10/2015, p. 5241.

Standing Order 106.

(Procedural note: Time is provided on Thursday mornings for debate on those bills or motions where the person in charge is not a Member of the Government. This is known as "General Business" or is sometimes referred to as "Private Members' Business".

Each sitting day Members may give notice in the House of their intention to move an item of General Business. Those notices are then listed in the Business Paper and are considered in the order in which they have been given (Standing Order 136).

If the House commences but does not conclude consideration of any of those motions or bills by the time of interruption, then they are listed as an Order of the Day for consideration before the House moves on to any new items of General Business.

The re-ordering provision, however, allows Members to seek to re-order a General Business Notice of Motion, or an Order of the Day for a Bill, so that it then has precedence over the other General Business scheduled for consideration (including any Orders of the Day).

The procedure is as follows: On a Wednesday after Question Time, any two Private Members may move to re-order a General Business Notice of Motion, or an Order of the Day for a Bill, standing in their name. They are permitted to speak for up to three minutes as to why their notice should have priority and the House then determines whether the item will be re-ordered.)

Five or fewer Members on a side of a division

On 22 October 2015 at the conclusion of the second reading debate on two cognate bills, the question that that the bills be read a second time was put and a division was called for. The Assistant Speaker declared the question to be passed as there were only four Members in the minority who had challenged his decision. The names of the Members in the minority were recorded in the *Votes and Proceedings*.

Votes and Proceedings: 22/10/2015, p. 416.

Hansard: 22/10/2015, p. 4914.

Standing Order 181

(Procedural note: When it is evident that there are five or fewer Members on one side in a division, without completing the division the Chair declares the result of the question before the House, and the names of those Members opposing the majority are recorded in the *Votes and Proceedings*.)

Private Member's Statement given in-between items of business

On 22 October 2015, in-between items of business, Mr Stephen Bromhead MP, by leave, made a Private Member's Statement about Mayor Jan McWilliams from Great Lakes Council.

Votes and Proceedings: 22/10/2015, p. 421.

Hansard: 22/10/2015, p. 4957.

Standing Order 108

(Procedural note: Private Members' Statements may be taken in-between items of business, with the leave of the House, or until certain business is to be conducted as specified by the Minister then in charge of the House.)

Apology to former residents of Fairbridge Farm School

On 29 October 2015 the Premier made a statement apologising to the victims of child sexual abuse at Fairbridge Farm School on behalf of the people of NSW. The Hon. Linda Burney MP also made a statement, in response, on behalf of the Opposition.

Votes and Proceedings: 29/10/2015, p. 446.

Hansard: 29/10/2015, pp. 5357-8.

Standing Orders 103 and 104.

SPEAKER

Speaker's statement about photography in the Chamber

On 13 October 2015 the Speaker made a statement about incidents of Members taking photographs of other Members in the Chamber while the House is in session. The Speaker reminded Members that it is disorderly to take photographs on the floor of the Chamber without the Speaker's permission. The Speaker explained that prior permission means that the Chair is able to give appropriate advice to minimise any disruption to House proceedings.

Votes and Proceedings: 13/10/2015, p. 353.

Hansard: 13/10/2015, p. 4100.

COMMITTEES

Inquiry into the sexualisation of children and young people

On 21 October 2015 the Chair of the Joint Standing Committee on Children and Young People, Ms Melanie Gibbons MP, informed the House that the Committee had resolved to conduct an inquiry into the sexualisation of children and young people. The full details of the inquiry are available on the Committee's [webpage](#).

Votes and Proceedings: 21/10/2015, p. 409.

Hansard: 21/10/2015, p. 4807.

Standing Order 299 (1).

Inquiry into a review of the Code of Conduct for Members

On 29 October 2015 the Chair of the Standing Committee on Parliamentary Privilege and Ethics, Mr Mark Coure MP, informed the House that the Committee had resolved to conduct an inquiry into a review of the Code of Conduct for Members. The full details of the inquiry are available on the Committee's [webpage](#).

Votes and Proceedings: 29/10/2015, p. 447.

Hansard: 29/10/2015, p. 5370.

Standing Order 299 (1).