



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SIXTH PARLIAMENT, FIRST SESSION
NO. 6/2018: 5 – 7 JUNE 2018

| June 2018 | | | | |
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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

Modern Slavery Bill 2018

On 16 May 2018 the Deputy Speaker reported a message from the Legislative Council transmitting the *Modern Slavery Bill 2018* to the Legislative Assembly for concurrence.

The bill was initiated in the Legislative Council as a private Member's bill by the Hon. Paul Green MLC on 8 March, and it passed that House on 3 May.

The purpose of the bill was to put in place provisions to combat modern slavery, to provide assistance and support for victims of modern slavery, and to provide for the establishment of an Anti-slavery Commissioner.

The Deputy Speaker also advised that he had received a written authority from Mr Green advising that the Hon. Gladys Berejiklian MP would have carriage of the bill in the Assembly.

Although the *Modern Slavery Bill* was initiated as a private Member's bill, on 6 June the House suspended Standing and Sessional Orders to permit the bill to be considered during Government Business.

Later that day the bill was debated and passed by the House with amendments.

The full details of the [bill](#) can be found on the Parliament of NSW website.

Votes and Proceedings: 16/05/2018, p. 1707; 6/06/2018, p. 1776, pp. 1781-4.

Standing Orders 97, 229, 365.

(Procedural note: Private Members' bills transmitted from the Legislative Council are not introduced into the Legislative Assembly until a written authority is received from the Council Member in charge of the bill indicating which Assembly Member will have carriage of the bill in that House.

As with all other Council bills, they are considered to have been introduced into the Assembly once a message indicating that the Council has transmitted the bill for concurrence has been reported in the House. While debate on Government bills originating in the Council can proceed forthwith or at a later time, in the case of private Members' bills they can only be debated during the time in the Routine of Business set aside for General Business (ie non-Government or Private Members' Business). That is why in the case of the *Modern Slavery Bill* Standing and Sessional Orders needed to be suspended to permit the bill to be considered during Government Business.)

Public Health Amendment (Safe Access to Reproductive Health Clinics) Bill 2018

On 5 June 2018 the Speaker reported a message from the Legislative Council transmitting the *Public Health Amendment (Safe Access to Reproductive Health Clinics) Bill 2018* for concurrence.

Like the *Modern Slavery Bill* the *Public Health Amendment (Safe Access to Reproductive Health Clinics) Bill* was a private Member's bill, which was co-sponsored by the Hon. Penny Sharpe MLC (a Labor Party Member) and the Hon. Trevor Khan MLC (a Nationals Member).

The Speaker then advised that she had received a written authority from Ms Sharpe advising that Mrs Leslie Williams MP would have carriage of the bill in the Assembly.

The object of the bill was to provide for safe access zones around reproductive health clinics at which abortions are provided so as to protect the safety and well-being of, and respect the privacy and dignity of, those accessing the services provided at those premises as well as those who need to access those premises in the course of their employment.

After its introduction the Speaker ordered that debate on the bill be adjourned until the next day.

On 6 June Standing and Sessional Orders were suspended to permit consideration of the bill to take precedence of all other General Business on 7 June.

The next day, in accordance with the previous day's suspension, debate on the bill was resumed and continued throughout the time set aside for General Business (from approximately 10.40 am to 1.30 pm), after which debate was adjourned for the lunch break.

After Question Time, Standing and Sessional Orders were again suspended to permit debate on the bill to be resumed after the Matter of Public Importance (at approximately 5.45 pm), and for the debate to displace other items of business that would usually be considered during the late afternoon/early evening on Thursdays (Community Recognition Statements and Private Members' Statements).

In accordance with the suspension, debate on the bill resumed after the Matter of Public Importance, and after the bill was read a second time a Member requested that it be considered in detail. During the Consideration in Detail stage, which lasted until the early hours of the next day, 19 amendments were moved and negatived, after which the motion on the bill's third reading was passed on division.

The bill was assented to by the Governor on 15 June 2018.

During the debate a number of Members made reference to the fact that Government Members were given a conscience vote, while Opposition Members voted along party lines in favour of the bill.

The full details of the [bill](#) can be found on the Parliament of NSW website.

Votes and Proceedings: 5/06/2018, p. 1759; 6/6/2018 p. 1776; 7/06/2018, p. 1793, p. 1794, pp. 1798-807.

Standing Orders 97, 203, 229, 365.

(Procedural note: A conscience vote is a vote in Parliament in which Members may vote according to their own judgment or belief, and not necessarily according to the guidelines, policies or decisions of their political party.)

MEMBERS

Two censure motions debated on the same day

On 7 June 2018, prior to Question Time, the Hon. Andrew Constance MP and Mr Michael Daley MP each gave notices of motions of censure of the Leader of the Opposition and the Premier, respectively.

After Question Time the Leader of the House moved that Standing and Sessional Orders be suspended to truncate the speaking times for both censure motions as follows:

- (a) Mover – 10 minutes;
- (b) Member named leading debate in opposition to the motion – 10 minutes;
- (c) One further non-Government Member and one further Government Member – 5 minutes each; and
- (d) Mover in reply – 5 minutes.

Following debate the suspension motion was passed on division.

Shortly after, Mr Constance moved his motion that the House that the House censures the Leader of the Opposition for:

- (1) Misleading the people of NSW by failing to declare thousands of dollars in benefits received on an international trip and disclose his dealings around his visit to China.
- (2) Failing to donate to charity the murder money donations received from Ron Medich as promised in 2010 and again on 24 April 2018.

Debate ensued and the motion was passed on division.

Immediately after, Mr Daley moved his motion that the House censures the Premier for:

- (1) Putting Sydney stadiums before schools and hospitals.
- (2) Presiding over a multibillion blowout of WestConnex, and incompetently managing the CBD light rail project and other major projects including the new intercity fleet.
- (3) Putting developers ahead of communities by supporting inappropriate overdevelopment in many suburbs.
- (4) An ideological program of privatisation that has seen families hurt by soaring electricity prices.

- (5) Persistent attacks on the environment through backward-looking legislation on land clearing, the Kosciusko National Park and undermining water resources compliance.
- (6) Letting lobbyists such as Michael Photios control the Government.

Debate ensued and the motion was negated on division.

Votes and Proceedings: 7/06/2018, pp. 1794-97.

Standing Orders 114, 118, 365.

(Procedural note: Under Standing Order 114 notice of a Member's intention to move a motion of censure must be given prior to Question Time when the Speaker calls for Notices of Motions for Business with Precedence.

The Member will then be called on to move their censure motion on the same day, with the motion being debated during the time set aside in the Routine of Business for considering Business with Precedence (under Standing Order 118).

In cases where a motion of censure is passed by the House, unless it is specified in the terms of the motion, no further action is taken by the House against the Member who has been censured.)