



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SIXTH PARLIAMENT, FIRST SESSION

NO. 2/2016: 8 – 23 MARCH 2016

March 2016				
M	T	W	T	F
7	8	9	18	10
14	15	16	17	18
21	22	23	24	25

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.

STANDING AND SESSIONAL ORDERS

Changes to the Routine of Business, consequential changes to the Sessional Orders, and changes to the Standing Orders

The Routine of Business of the House is the timetable for the order of business to be considered by the House over a regular sitting week (being Tuesdays, Wednesdays and Thursdays), which is set out in [Sessional Order 97](#).

On 23 March 2016 the Speaker tabled a report of the Standing Orders and Procedure Committee, entitled *Changes to the Routine of Business and consequential changes to the Sessional Orders*.

The Committee's report recommended that a number of changes be made to the Routine of Business and that consequential changes be made to certain Sessional Orders to reflect the changes to the Routine.

A copy of the report may be viewed on the Committee's [webpage](#).

Immediately after the Speaker tabled the report, the Leader of the House moved, by leave, that the House agree to the amendments to the Sessional Orders recommended by the Committee, and that the changes come into force on and from 3 May 2016. The motion was agreed to on the voices.

Summary of changes to the Routine of Business and consequential changes to the Sessional Orders

In general, the changes to the Routine of Business are intended to make the conduct of business in the House less constrained by fixed times, and to be more flexible and responsive. The changes re-schedule and, in some cases, extend the time that is available for Government Business. At the same time, the changes do not reduce the time available for Private Members' Statements and, in fact, increase the time provided for Community Recognition Statements.

On Tuesdays, where the House used to adjourn at 7.45 pm, the new Routine allows Government Business to be considered from around 4.00 pm, after the conclusion of the Motion Accorded Priority, after which the House takes Private Members' Statements and then may adjourn as late as 10.00 pm. The Matter of Public Importance, which was discussed on Tuesdays, has moved to Thursday afternoons.

On Wednesdays Government Business resumes after the conclusion of the Motion Accorded Priority and continues, without an interruption for dinner, until the House adjourns after Private Members' Statements and the Matter of Public Importance, which, again, may occur as late as 10.00 pm.

On Thursdays, the House now considers Government Business in the morning after Notices of Motions instead of after Question Time. This, for instance, gives the House an earlier opportunity to deal with any amendments to bills proposed by the Legislative Council the previous day (as Thursdays are usually a day of General Business in the Legislative Council). The time provided for consideration of General Business (bills and motions) on Thursdays remains the same, but commences after Government Business and concludes at 1.30 pm. As a consequence, the 'take note' debate on committee reports moves to the afternoon following Question Time, after which the House discusses the Matter of Public Importance, takes Community Recognition Statements and then discusses petitions signed by 10,000 or more persons. The last item of business on Thursdays is Private Members' Statements, after which the House adjourns.

Consequential to the changes to the Routine of Business, minor changes have been made to the following Sessional Orders relating to:

- the timing of the bells (Sessional Order 35);
- the restriction on quorum calls (Sessional Order 45);
- the adjournment and next meeting of the House (Sessional Order 46);
- Private Members' Statements (Sessional Order 108);
- Community Recognition Statements (Sessional Order 108A);
- Motions Accorded Priority (Sessional Order 109);
- Matters of Public Importance (Sessional Order 110);
- the restriction on divisions (Sessional Order 187); and
- the tabling in the House and debating of committee reports (Sessional Order 306).

The Leader of the House then moved, by leave, that the House agree to the amendments to the Standing Orders that were recommended by the Standing Orders and Procedure Committee in its [report](#) of November 2015, and that the amendments be forwarded by the Speaker to His Excellency the Governor for approval. The motion was agreed to on the voices.

Summary of changes to the Standing Orders

Changes were made to the Standing Order (Standing Order 10) which sets out the procedure for the election of the Speaker, removing the unnecessary and outdated detail in the procedure, and making it less prescriptive and more reflective of actual practice.

Changes were also made to the Standing Order setting out the Routine of Business (Standing Order 97), again, to make the conduct of business less constrained by prescribed times and more responsive to the House's business program. A consequential change was made to the Standing Order setting out the procedure for considering Motions Accorded Priority (Standing Order 109), removing the reference to the motion lapsing at the time for interruption.

Lastly, the Standing Order which provides for the tabling and debate of committee reports (Standing Order 306) was changed to make the Standing Orders and Procedure Committee exempt from the tabling and debate provisions that apply to other committee reports. This is because the Standing Orders (Standing Order 265) permit the Speaker, who tables reports of the Standing Orders and Procedure Committee, to table papers at any time, rather than just the time in the Routine of Business set aside for the tabling of committee reports and notification of inquiries.

Also, substantive debates on reports of the Standing Orders and Procedure Committee may take place on whether any changes to the Standing and Sessional Orders proposed in a report are to be adopted by the House. This negates the need for a second 'take note' debate on the Committee's reports, as specified in Standing Order 306.

The amendments to the Standing Orders were approved by the Governor on 13 April 2016.

In the lead-up to, and during the following sitting period (3 – 12 May 2016), the Procedural Research and Training Unit and the Table Office jointly undertook an education program to advise Members, Members' staff and parliamentary staff of the changes to the Standing and Sessional Orders, with an emphasis on the changes to the Routine of Business. The program consisted of a series of briefing sessions and the distribution of an information pamphlet.

(Procedural note: Under section 15 of the *Constitution Act 1902* of NSW, Standing Orders are required to be laid before the Governor, and approved, to become binding and in force. Consequently, any amendments to the Standing Orders must also be approved by the Governor.)

Votes and Proceedings: 23/3/2016, pp. 643-51.

Standing Orders 96 and 364.

BUSINESS

Weekly sitting schedule moved forward one day

On 8 March 2016 Standing and Sessional Orders were suspended so that the Routine of Business for Tuesdays could take place on Monday 21 March 2016, the Routine of Business for Wednesdays could take place on Tuesday 22 March 2016, and the Routine of Business for Thursdays could take place on Wednesday 23 March 2016.

Effectively, this meant that the regular weekly sitting schedule was moved forward one day for the duration of the week. The reason for this was that it was Good Friday on 25 March 2016 and the arrangement left the Thursday as a non-sitting day so Members could return to their electorates.

Votes and Proceedings: 8/3/2016, pp. 572-3.

Standing Orders 97 and 365.

Belgium terrorist attacks

On 23 March 2016 the Premier made a Ministerial Statement about the terrorist attacks at Zaventem Airport and Maelbeek Metro Station in Brussels, Belgium. The Leader of the Opposition made a response.

Votes and Proceedings: 23/3/2016, p. 642.

Hansard (Proof): 23/3/2016, pp. -

Standing Orders 103 and 104.

SPEAKER

Speaker's statement about an emergency evacuation exercise in Parliament House

On 10 March 2016, immediately after debate had been adjourned on the second reading of a Private Member's Bill, the Speaker advised the House that an emergency exercise to evacuate the building would be conducted and that she would leave the Chair until the ringing of one long bell.

The Speaker left the Chair at 10.30 am and, after the emergency evacuation exercise had concluded, the Deputy Speaker resumed the Chair at 10.59 am. In accordance with the Routine of Business General Business Orders of the Day (for bills) was then proceeded with.

Votes and Proceedings: 10/3/2016, p. 588.

Standing Orders 35 and 40.

(Procedural note: The procedural device of suspending a sitting of the House until the "ringing of one long bell" in lieu of a formal adjournment often suits the convenience of the House and individual Members by allowing the suspension of a sitting for special events or unusual meal breaks. The business of the House is resumed later at the point where it was suspended.)

Speaker's statement about International Women's Day

On 8 March 2016 the Speaker made a statement about International Women's Day and noted that this year's theme was gender parity. During her statement the Speaker commended the Commonwealth Women Parliamentarians Steering Committee, and in particular the Australian Chair, the Hon. Catherine Cusack MLC, and the NSW representative, Ms Jenny Aitchison MP, for their continued efforts to improve the interests of women parliamentarians.

Votes and Proceedings: 8/3/2016, p. 569.

Hansard (Proof): 8/3/2016, p. -

MEMBERS

Election of Deputy Leader of the Opposition

On 8 March 2016 the Leader of the Opposition informed the House of the election on 7 March 2016 of Mr Michael Daley MP as Deputy Leader of the Opposition following the resignation of the Hon. Linda Burney MP from that position.

Votes and Proceedings: 8/3/2016, p. 570.

COMMITTEES

Inquiry into the 2013-14 and 2014-15 annual reports of the Health Care Complaints Commission

On 8 March 2016 the Chair of the Committee on the Health Care Complaints Commission, Mrs Melinda Pavey MP, informed the House that the Committee had resolved to conduct an inquiry into the 2013-14 and 2014-15 annual reports of the Health Care Complaints Commission. The full details of the inquiry are available on the Committee's [webpage](#).

Votes and Proceedings: 8/3/2016, p. 571.

Standing Order 299 (1).

STAFF

Appointment of Deputy Clerk

On 15 March 2016 the Speaker advised the House that Ms Helen Minnican had been appointed as Deputy Clerk of the Legislative Assembly.

Votes and Proceedings: 15/3/2016, p. 595.