



# PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SIXTH PARLIAMENT, FIRST SESSION

NO. 4/2016: 31 MAY – 2 JUNE 2016

May/June 2016

M	T	W	T	F
30	31	1	2	3

*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.*

---

## BUSINESS

### ***Member's resignation from the Legislative Assembly***

On 31 May 2016 the Speaker advised the House that she had received a letter the previous day from Mr Andrew Gee resigning his seat as Member for Orange. Mr Gee's resignation came as a consequence of him wishing to contest the seat of Calare at the Federal Election on 2 July 2016.

Immediately after the Speaker's announcement the Leader of the House moved that the seat of the Member for Orange be declared vacant on account of Mr Gee's resignation, in accordance with section 70 of the [Parliamentary Electorates and Elections Act 1912](#). The motion was passed on the voices.

Later in the day the Speaker advised the House that she had ordered the removal of three General Business Notices of Motions (General Notices) standing in Mr Gee's name, in keeping with the past practice of the House.

*Votes and Proceedings: 31/5/2016, p. 710, p. 713.*

### **Standing Order 105.**

(Procedural note: In the above instance, because the notice is not before the House and the Member is no longer in the House to move the motion, it is the practice of the Legislative Assembly for the notices to be removed from the Business Paper. Other Members are free to give a fresh notice of the motion if they wish.)

### ***Condolence motion for the Hon. Thomas Lewis***

On 31 May 2016 the Premier moved a motion of condolence in relation to the death on 25 April 2016 of the Hon. Thomas Lewis, a former Premier of the State.

The motion was seconded by the Leader of the Opposition and supported by seven Members, each who spoke to the motion.

The motion was carried unanimously, with Members and Officers of the House standing as a mark of respect.

*Votes and Proceedings: 31/5/2016, p. 715.*

**Standing Order 118 (2).**

### ***Condolence motion for Dr John Kaye***

On 1 June 2016 Mr Jamie Parker MP moved a motion of condolence in relation to the death on 2 May 2016 of Dr John Kaye, a Member of the Legislative Council.

The motion was seconded by the Premier and supported by 13 Members, each who spoke to the motion.

The motion was carried unanimously, with Members and Officers of the House standing as a mark of respect.

The Legislative Council debated and passed a condolence motion for Dr Kaye on the same day.

*Votes and Proceedings: 1/6/2016, p. 725.*

*Legislative Council Minutes of Proceedings: 1/6/2016, p. 934.*

**Standing Order 118 (2).**

(Procedural note: Under [Standing Order 118](#) certain matters are accorded precedence over all other business before the House. These matters are categorised as Business with Precedence and they have a specified place in the Routine of Business for each sitting day.

One example of Business with Precedence is condolence motions. Condolence motions mostly, but not always, take place to commemorate the death of a sitting Member or a prominent former Member (e.g. a former Premier, Speaker or Minister).

There is no provision in the Standing Orders for specific time limits to apply where Members are speaking on condolence motions. By custom, however, Members are not restricted in time and the total time allotted for debate is generally arranged between the Leader of the House and the Party Whips, often to facilitate the attendance of the deceased person's family and friends.

For more information on condolence motions see Chapter 12, Section 12.5.1, page 10 of [NSW Legislative Assembly Practice, Procedure and Privilege.](#))

## MEMBERS

### ***Election of Opposition Whip and Deputy Whip***

On 31 May 2016 the Leader of the Opposition informed the House of the election on 26 May 2016 of Mr Nick Lalich MP as Opposition Whip, and the election that day of Mr Greg Warren MP as Deputy Opposition Whip.

*Votes and Proceedings: 31/5/2016, p. 709.*

### ***Leave of absence for Mr Jenny Leong MP***

On 2 June 2016 Mr Jamie Parker MP moved that a leave of absence be granted to Ms Jenny Leong MP, Member for Newtown, until Friday 23 September 2016 on account of maternity. The motion was passed on the voices.

*Votes and Proceedings: 2/6/2016, p. 731.*

**Standing Order 28.**

## COMMITTEES

### ***Committee reference – Review of the Public Interest Disclosures Act 1994 and the Public Interest Disclosures Steering Committee’s review of the Commonwealth Public Interest Disclosure Legislation***

On 1 June 2016 the Premier moved, by leave, that the House refers to the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission the statutory review of the *Public Interest Disclosures Act 1994* and the Public Interest Disclosures Steering Committee’s Review of the Commonwealth Public Interest Disclosure Legislation dated January 2014, for consideration as part of that statutory review; and that a message be sent to the Legislative Council requesting that it pass a similar resolution.

The motion was passed on the voices.

The following day a Temporary Speaker reported a message from the Legislative Council informing the House that it agreed to the resolution that had been passed by the Legislative Assembly the previous day.

*Votes and Proceedings: 1/6/2016, p. 721-2; 2/6/2016, p. 733.*

**Standing Orders 96 and 339.**

(Procedural note: In the above instance a message was sent to the Legislative Council requesting that it pass a similar resolution because the Committee on the Ombudsman, the Police Integrity Commission and the Crime Commission is a joint committee, which consists of Members of both the Legislative Assembly and the Legislative Council.)

***Inquiry into the Inspector of the Independent Commission Against Corruption's 'Report to the Premier: The Inspector's Review of the ICAC'***

On 2 June 2016 the Chair of the Committee on the Independent Commission Against Corruption, Mr Damien Tudehope MP, informed the House that the Committee had received a referral from the Premier to conduct an inquiry into the Inspector of the Independent Commission Against Corruption's *Report to the Premier: The Inspector's Review of the ICAC*. The full details of the inquiry are available on the Committee's [webpage](#).

*Votes and Proceedings: 2/6/2016, p. 731.*

**Standing Order 299 (1).**

***Inquiry into access to transport for seniors and disadvantaged people in rural and regional New South Wales***

On 2 June 2016 the Chair of the Committee on Community Services, Mr Adam Marshall MP, informed the House that the Committee had received a referral from the Deputy Premier to conduct an inquiry into access to transport for seniors and disadvantaged people in rural and regional New South Wales. The full details of the inquiry are available on the Committee's [webpage](#).

*Votes and Proceedings: 2/6/2016, p. 731.*

**Standing Order 299 (1).**