



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SEVENTH PARLIAMENT, FIRST SESSION
NO. 4/2019: 30 JULY – 8 AUGUST 2019

July/August 2019				
M	T	W	T	F
29	30	31	1	2
5	6	7	8	9

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

Reproductive Health Care Reform Bill 2019

On 1 August 2019 Mr Alex Greenwich MP, the Independent Member for Sydney, introduced the Reproductive Health Care Reform Bill 2019. This private Member's bill seeks to reform the law relating to terminations of pregnancies and the conduct of health practitioners in relation to terminations.

The bill was co-sponsored by fifteen other members - the Hon. Shelley Hancock MP, Ms Trish Doyle MP, the Hon. Brad Hazzard MP, Mr Ryan Park MP, Ms Jenny Leong MP, the Hon. Leslie Williams MP, the Hon. Penny Sharpe MLC, Mr Alex Greenwich MP, the Hon. Trevor Khan MLC, the Hon. Abigail Boyd MLC, Ms Jo Haylen MP, Ms Jenny Aitchison MP, Ms Felicity Wilson MP, Mr Greg Piper MP and the Hon. Emma Hurst MLC.

Co-sponsorship is a symbolic show of support for a bill. A bill co-sponsor has no special status or responsibility in relation to the carriage of the bill through either House. Coalition and Opposition MPs were given a conscience vote on the bill.

Later that day Standing and Sessional Orders were suspended to permit the resumption of the second reading debate on Tuesday 6 August and to permit consideration of the bill during Government Business. Ordinarily, private Member's bills can only be debated for a limited period of time on Thursday mornings. Permitting the consideration of the bill during Government Business allowed for a much greater period of time in which to debate the bill.

In accordance with the House's resolution, debate on the bill resumed on Tuesday 6 August. The Standing Orders provide that Members speaking in debate on the second reading of a bill may speak for a period of ten minutes, with a five minute extension. Mr Kevin Conolly MP and Ms Jenny Leong MP each sought leave to move that Standing and Sessional Orders be suspended to permit them to speak for a period of up to thirty minutes. Leave was granted and in both cases Standing Orders were suspended to permit the two Members to speak for the thirty minute period.

Sixty five Members contributed to the second reading debate over three days.

On Thursday 8 August the House agreed to suspend Standing and Sessional Orders to permit consideration of the Reproductive Health Care Reform Bill to take precedence over all other items of general business until Question Time at 2.15 pm, and to continue after Question Time if consideration had not concluded by then. The House further agreed to suspend Standing and Sessional Orders to allow for the following speaking times during the Consideration in Detail stage:

Mover of amendment – 15 minutes

Any other Members – 5 minutes

Mover in reply – 5 minutes

Mr Kevin Conolly MP moved that the bill be referred to the Legislative Assembly Committee on Law and Safety for consideration and report by 17 September 2019. The question was negatived and the House moved into Consideration in Detail of the bill.

During Consideration in Detail a total of 42 amendments were moved, including 3 amendments to amendments. Of the 42 proposed amendments 21 were carried, 3 were withdrawn and 2 were ruled out of order.

After Consideration in Detail had concluded, the bill was read a third time (on division) and passed the Assembly after which it was sent to the Legislative Council for concurrence.

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

Votes and Proceedings: 1/8/2019, p. 212, p. 213; 6/8/2019, p. 229, pp. 231-2, pp. 233-4; 7/8/2019, pp. 235-7; 8/8/2019, pp. 242-50, pp. 251-61.

Standing Orders 188, 198, 203.

(Procedural note: Generally, when Members vote in the House, they vote along party lines. However, on occasion Members are able to have a free or conscience vote, particularly in relation to moral or religious matters. Determination of which matters may be voted on as a conscience vote is a matter for the political parties and is not covered by any procedure or Standing Order of the House.)

MEMBERS

Opposition announcements

On Tuesday 30 July 2019 Ms Jodi McKay MP informed the House of her election, on 29 June 2019, of Ms Jodi McKay as Leader of the Opposition, of Ms Yasmin Catley MP's election as Deputy Leader of the Opposition and of Ms Anna Watson MP's election as Opposition Whip.

Votes and Proceedings: 30/7/2019, p. 192.

COMMITTEES

Committee on Environment and Planning

On Tuesday 30 July 2019 Mr Alex Greenwich MP, Chair of the Legislative Assembly Committee on Environment and Planning, announced that the Committee had resolved to conduct an inquiry into the sustainability of energy supply and resources for New South Wales. Full details of the inquiry can be found on the Committee's [web page](#).

Votes and Proceedings: 30/7/2019, p. 194.

Standing Order 299.

STANDING AND SESSIONAL ORDERS

New Sessional Orders

On Thursday 1 August 2019 the House resolved to adopt new Sessional Orders. The new Sessional Orders implemented the recommendations of the Standing Orders and Procedure Committee report, tabled on the same day, entitled [Modernisation and reform of practices and procedures](#).

The new Sessional Orders came into effect on Tuesday 6 August 2019. A summary of the most significant changes to the Sessional Orders is below:

New timetable (Standing Order 97)

- Start time of 9.30 am on Wednesdays and Thursdays (previously 10.00 am) and lunch from 1.15 pm - 2.15 pm each sitting day;
- Government Business commences earlier and more time is allocated for its consideration; and
- There are changes to when Private Members' Statements and Community Recognition Statements happen, and when petitions and committee reports are debated.

Public Interest Debates (Standing Order 109)

- Public Interest Debates replace Motions Accorded Priority, Matters of Public Importance and the re-ordering of General Business Notices of Motions;
- They take place at 5.00 pm on Tuesdays and Wednesdays and are 40 minutes in duration; and
- A Government Member will nominate the debate topic on Tuesdays, and Opposition and crossbench Members will nominate the topic on a rotational basis on Wednesdays.

Written Community Recognition Statements (Standing Order 108A)

- Members can now lodge one written Community Recognition Statement each sitting day, which is incorporated into Hansard.
- The same rules that apply to oral Community Recognition Statements apply to written Community Recognition Statements; and
- Lodging a written Community Recognition Statement does not prevent a Member from giving oral Community Recognition Statements in the House.

Debates on petitions with more than 10,000 signatures (Standing Order 125A)

- For all petitions with 10,000 or more signatures there is now a 30 minute debate on a Thursday at 4.00 pm on a motion to take note of the petition (this was previously a 16 minute discussion)
- Because it is a motion, the Assembly votes on the motion at the conclusion of the debate; and
- A Minister must respond to the terms of the petition during each debate.

The Speaker can pause the timing clock (Standing Order 49A)

The Speaker now has discretion to pause the timing clock at any point during the day to maintain order in the House. Previously, the Speaker could only do this while a Minister was giving an answer during Question Time.

Votes and Proceedings: 1/8/2019, p. 215, pp. 216-26.

Standing Order 364.

(Procedural note: Standing Orders are the permanent rules of the Legislative Assembly; they regulate its conduct, procedures and communication with the Legislative Council. Standing Orders are made under the authority of section 15 of the *Constitution Act 1902* and are approved by the Governor. Once approved, Standing Orders are binding.

Standing Order 364 allows the House to vary Standing Orders for the duration of a session by adopting Sessional Orders. Sessional Orders can replace or modify Standing Orders and have the force of Standing Orders. However, Sessional Orders are not approved by the Governor and are binding only for the duration of the session in which they've been approved.

Sessional Orders can be a way of trialling proposed changes to Standing Orders.)