



**EXTRACT FROM LEGISLATIVE ASSEMBLY VOTES AND PROCEEDINGS NO. 78,
THURSDAY 19 NOVEMBER 2020, ENTRY NO. 24**

24 STANDING COMMITTEE ON PARLIAMENTARY PRIVILEGE AND ETHICS

Mr Mark Speakman moved, by leave, That:

- (1) The Standing Committee on Parliamentary Privilege and Ethics conduct an inquiry into the adequacy of current procedures to protect parliamentary privilege in circumstances where law enforcement and investigative bodies seek to use coercive, intrusive and covert investigatory powers.
- (2) The Committee's initial focus should be the operation of the agreement currently in place with the Independent Commission Against Corruption (ICAC), including:
 - (a) The 2009 Memorandum of Understanding (MoU) on search warrants between the Commissioner of the ICAC, the President of the Legislative Council and the Speaker of the Legislative Assembly and the revisions proposed but not adopted in 2014.
 - (b) The protocol currently observed in relation to notices to produce information under s.22 of the *Independent Commission Against Corruption Act 1988*.
- (3) The Committee evaluate the need for a Memorandum of Understanding to be entered into with the NSW Electoral Commission in relation to the investigation of possible offences and breaches of electoral, funding and disclosure, and lobbying laws.
- (4) The Committee should examine any other relevant matter, in light of recent developments in other jurisdictions and also the reports of the Legislative Council's Privileges Committee, entitled 'Execution of search warrants by the Australian Federal Police', dated 13 October 2020, and Report No. 2, dated 18 November 2020.
- (5) A message be sent informing the Legislative Council of the terms of reference for the referred inquiry.

Question put and passed.