



14 April 2016

The Hon. Don Harwin  
Chair of the Procedure Committee  
Legislative Council of New South Wales  
Parliament House  
Macquire Street  
Sydney, NSW 2000  
Australia

Dear Mr Harwin

**Submission – Inquiry into young children accompanying members into the House**

Thank you for the invitation to make a submission to the inquiry. The issue which led to your inquiry does not arise frequently in New Zealand, primarily because of the way we conduct votes in the Debating Chamber.

In New Zealand, divisions are rare, and notified well in advance. Most votes in the House follow the party vote procedure, as detailed in Standing Order 143 (see Appendix 1). This allows a party leader or whip to cast the party's votes orally in the Chamber. Party votes are cast en bloc, and can include the votes of all members of the party who are present anywhere in the parliamentary precincts – not necessarily in the Chamber or lobbies – along with proxy votes for members who are absent from the precincts. Each party's proxy votes are limited to 25 percent of the party's parliamentary membership. If the number of the party's members outside the precincts exceeds this limit, then the party must reduce its voting numbers accordingly.

Personal votes, which are the equivalent of divisions, are held only occasionally. They are generally on conscience issues. As noted above, notice of personal votes usually occurs well in advance through discussions in the Business Committee. There is no limit on proxy votes when personal votes are conducted. There is also no requirement for members to enter the Chamber during personal votes, unless they wish to abstain. They can go directly to the Ayes or Noes lobby to vote, and can stay there until the doors are unlocked after the result is announced.

The scenario you described in your letter dated 22 March has occurred once in recent memory. During a sitting under urgency in 2013, a member was required by her party to be present on the parliamentary precincts so that it could cast its full party vote, as its proxy allocation had been exhausted. During the sitting, the member brought her five-month old infant into the Chamber. No objection was raised. The member left the chamber with her infant when the infant began to cry.

The above instance fed into the creation in 2014 of a provision for members to seek permission to be absent from the parliamentary precincts on account of a family cause of a personal nature (Standing Order 38 – see Appendix 2). In recommending this provision be incorporated into the Standing Orders, the Standing Orders Committee made clear that the provision was intended to cover both breastfeeding and “care for an infant or child” (see Appendix 3). The votes of members who are granted such permission by the Speaker are not counted towards their parties’ 25 percent proxy vote limit (Standing Order 155(3)).

I hope this information assists the committee in its conduct of the inquiry. If you require further information please contact David Wilson, the Clerk of the House of Representatives, at [david.wilson@parliament.govt.nz](mailto:david.wilson@parliament.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to be 'David Carter', written over a large, light-colored circular scribble or stamp.

Rt Hon David Carter  
**Speaker of the House of Representatives of New Zealand**