

**Submission  
No 1**

**INQUIRY INTO GIVING OF NOTICES OF MOTIONS  
UNDER STANDING ORDER 75**

**Organisation:** Shooters, Fishers and Farmers Party

**Date Received:** 4 May 2024

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**Submission by The Hon Robert Borsak MLC on behalf of the Shooters Fishers and Farmers Party to the Standing Order 75 Inquiry.**

Dear Members of the Legislative Council Procedure Committee,

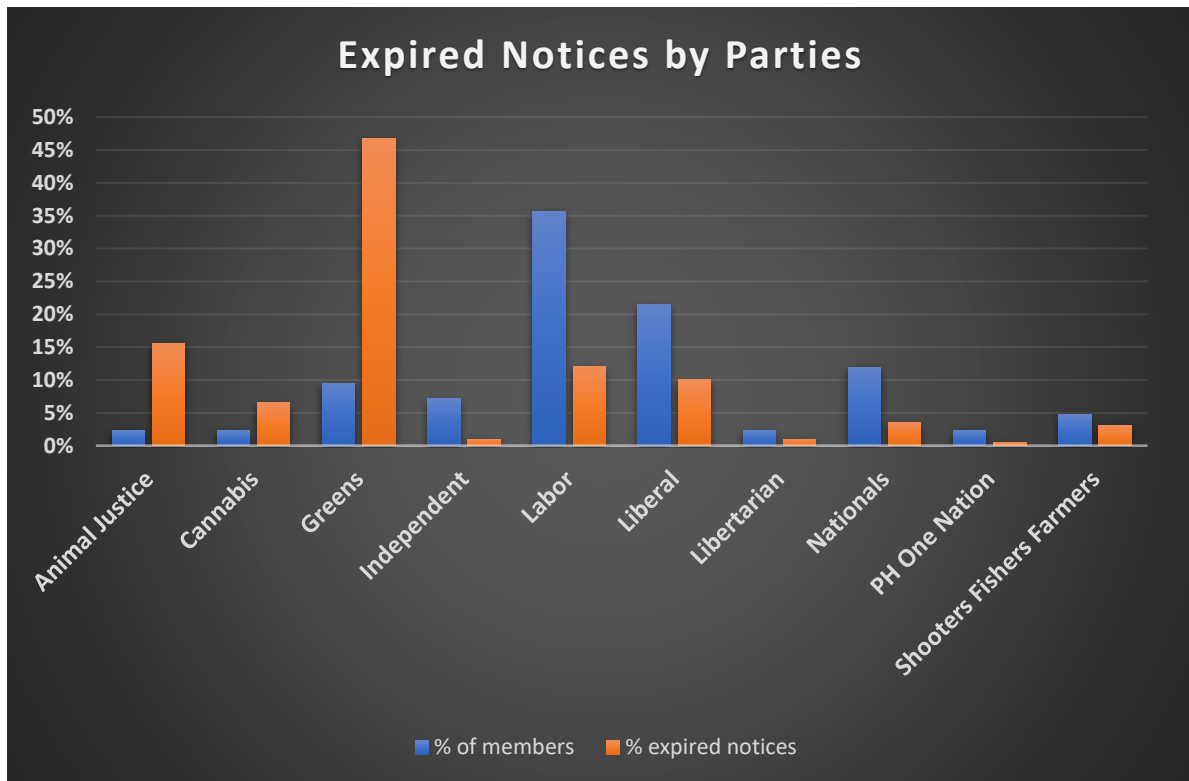
The Shooters Fishers and Farmers Party believes that Standing Order 75 holds significant importance in the democratic process of New South Wales by facilitating the orderly and transparent initiation of discussions and ideas within the Legislative Council. This Standing Order empowers Members to formally introduce motions for debate by providing a structured method for giving notice.

By allowing Members to read their notices aloud and submit signed written copies to the Clerk-at-the-Table, Standing Order 75 ensures that proposed motions are clearly articulated and documented, thus promoting accountability and clarity in the legislative process. This orderly procedure not only enables Members to raise important issues for consideration but also fosters a transparent and inclusive environment where diverse viewpoints can be heard and deliberated upon.

As a fundamental component of parliamentary procedure in the NSW Legislative Council, Standing Order 75 plays a crucial role in upholding the principles of democracy, accountability, and effective governance within the New South Wales Legislative Council. The Shooters Fishers and Farmers Party deeply values and champions the democratic process of open debate and discussion within the New South Wales Legislative Council. As advocates for the diverse interests of regional communities and stakeholders, the party believes that robust dialogue and exchange of ideas are an essential part of the democratic process for effective governance and policymaking.

By actively participating in parliamentary proceedings and engaging in constructive debate, the Shooters Fishers and Farmers Party seeks to ensure that the voices and concerns of their constituents are heard and addressed, whilst also enabling the larger debates in the House around Government and Opposition. We view the Legislative Council as a forum where differing perspectives can be aired, scrutinised, and ultimately, where decisions are made in the best interest of the people of New South Wales. Upholding the principles of transparency, accountability, and inclusivity, the party remains committed to fostering a robust democratic culture within the Council, where all Members have the opportunity to contribute meaningfully to the legislative process and represent their constituents, at times raising concerns and at others acknowledge significant events and contributions by people through Notices of Motions.

The Shooters Fishers and Farmers Party has become increasingly concerned by the misuse of Notices of Motions in the Legislative Council for making statements and proxy speeches by some members. We note that already in the 58th Parliament 935 general motions have been given in the Legislative Council across all categories of business, of these 199 (21%) notices have been given and have subsequently expired without being formally moved.



A cursory examination of the figures related to these expired notices shows that four members, i.e. less than 10% of the members of the Legislative Council, are responsible for nearly 70% of the expired Notices (See Table 1 Appendix 1.) We also note the impact of the length of time spent giving notices of motions has on the use of chamber time, especially apparent on Tuesdays (Government business day), when the majority of notices are given, and where approximately half of the time spent in formalities is used for the giving of notices.

This is an abuse of the Standing Order 75 process, simply put it is being used to get around other Standing Orders that limit debate time and more fairly share around the opportunity of all members in the House to contribute, should they so desire. It is nothing more than (by those that abuse this process) an opportunity to make unchallenged and undebated statements in the House using unlimited time. Worse they also have the opportunity in the reading of the motion to use typical techniques normally reserved for debates, such dramatic pauses, emphasis and inflection to highlight unchallenged argument. These are then used for self-promotion and aggrandisement. This is not what this Standing Order is meant to do.

The Shooters Fishers and Farmers Party is submitting a number of proposals to address our growing concern regarding the misuse of Notices of Motions in the Legislative Council, particularly in relation to the excessive number of notices being lodged and subsequently expiring without being formally moved. We believe that these practices are hindering the efficient functioning of the Legislative Council and impeding the progression of government and private member's business.

To mitigate these issues, we propose the following amendments to the Standing Orders governing the submission and consideration of Notices of Motions:

**1. Limit on Notices per Sitting Day:** We suggest imposing a maximum of two General Notices (this limit excludes those related to Bills or disallowance or machinery of the House notices) per member per sitting day that can be read aloud in the chamber, with a limit of three minutes and with any additional notices to be submitted and tabled in writing. This measure aims to streamline the process and prevent the excessive inundation of notices and abuse of the process.

**2. Restrictions on Oral Notices:** For notices read aloud in the Chamber, we propose implementing the following limits:

- a. *Daily Notice Limit:* Each speaker should be restricted to reading only two notices per day in the Council, with any further notices to be submitted in writing.
- b. *Time and Word Limit:* A maximum time limit of 3 minutes should be imposed for the reading of each notice, with a corresponding word limit of 300 words per notice. This will prevent excessively verbose notices being read and wasting time in the chamber.
- c. *Option for Summary:* Speakers should have the option of providing a brief summary of the motion's intent orally, with the detailed content to be submitted in writing.
- d. *No Limit on Written Notices:* There should be no restriction on the number of notices that can be submitted in writing, encouraging Members to continue raising important issues.
- e. *Written notices:* title only can be mentioned in the tabling process.

**3. Submission Deadline:** All notices should be lodged no later than 12 pm each sitting day. This deadline ensures timely processing and consideration of notices during the sitting week.

**4. Expiry Period Reduction:** The expiry period for private members' notices related to general motions should be reduced to 12 sitting days. This adjustment aims to prevent the accumulation of notices that are never acted upon, promoting accountability and efficiency in the legislative process.

These proposed amendments seek to strike a balance between facilitating Members ability to raise important matters and ensuring the effective operation of the Legislative Council. We believe that implementing these measures will enhance transparency, accountability, and productivity within the Chamber.

Thank you for considering our submission. We trust that these proposed amendments will contribute positively to the inquiry and the overall functioning of the Legislative Council.

Yours sincerely,

The Hon Robert Borsak  
Shooters Fishers and Farmers Party

Appendix 1.

<b>Member</b>	<b>Expired General Notices until March</b>
Banasiak, Mark	4
Borsak, Robert	2
<b>Boyd, Abigail</b>	<b>31</b>
Buckingham, Jeremy	13
Buttigieg, Mark	6
Carter, Susan	3
Cohn, Amanda	4
D'Adam, Anthony	0
Donnelly, Greg	0
<b>Faehrmann, Cate</b>	<b>18</b>
Fang, Wes	0
Farlow, Scott	1
Farraway, Sam	1
Franklin, Ben	0
Graham, John	0
<b>Higginson, Sue</b>	<b>40</b>
Houssos, Courtney	0
<b>Hurst, Emma</b>	<b>31</b>
Jackson, Rose	0
Kaine, Sarah	4
Latham, Mark	1
Lawrence, Stephen	4
MacDonald, Aileen	0
Maclaren-Jones, Natasha	4
Martin, Taylor	0
Merton, Rachel	1
Mihailuk, Tania	1
Mitchell, Sarah	2
Mookhey, Daniel	0
Moriarty, Tara	0
Munro, Jacqui	6
Murphy, Cameron	0
Nanva, Bob	1
Primrose, Peter	2
Rath, Chris	0
Roberts, Rod	1
Ruddick, John	2
Sharpe, Penny	0
Suvaal, Emily	7
Taylor, Bronnie	4
Tudehope, Damien	0
Ward, Natalie	5
<b>TOTAL</b>	<b>199</b>