

**Submission  
No 4**

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

**Organisation:** Parliamentary Ethics Adviser

**Date Received:** 14 May 2024

---

13 May 2024

The Honourable Ben Franklin MLC  
President of the Legislative Council and  
Chair of the Procedure Committee  
Legislative Council  
Parliament House  
SYDNEY NSW 2000

Dear Mr President

### **Giving Notices of Motions - Standing Order 75**

1. You have invited me to make a submission to the committee on its inquiry into the giving of notices of motions under standing order 75.
2. I have perused the discussion paper on Notices of Motion which details the proliferation of Notices of Motions given by members and consequent difficulties associated with the increasing number of notices given by members.
3. I also note the summary of procedures in other Parliaments on the giving of notices of motions in Table 1.
4. The increase in the total number of notices given by members began during my time as Clerk of the House and resulted in changes to the system of private members business.
5. From the discussion paper I believe changes to the system of giving of notice under SO 75 is necessary and I answer the discussion questions as follows:
  1. *Should notices be given in writing only, or should the ability to read notices aloud be retained?*
6. I suggest that Ministers should read aloud notices of motions in the House or provide a brief summary of the intent of the notice.
7. All other members:
  - (a) may lodge notices of motions in writing by delivering a signed hard copy, or submitting an electronically signed copy, to the Clerk of the House on a sitting day at least 15 minutes before the time of meeting of the House, or
  - (b) may give notice in the House by stating a brief summary of the intent of the motion (perhaps not exceeding 30 seconds).
2. *Should there be differing approaches for specific types of motions or categories of business?*

8. I suggest that motions relating to a matter of privilege should be read aloud in the House.

3. *If notices are required to be given only in writing, what time on a sitting day, or prior to the sitting week, should they be lodged by?*

9. See 1 above.

4. *If notices are continued to be read aloud, should any limits apply, such as:*

a. *an overall time limit for the giving of notices*

b. *individual notice or speaker time limits*

c. *reading of notices in a list format or only expressing a summary of the intent of the motion?*

10. See 1 above. Except for Ministers and matters of privilege, if a notice is to be read aloud a member to only provide a brief summary of the intent of the motion (perhaps limited to 30 seconds)

5. *Should any other rules apply to notices, such as:*

a. *a 250 word limit for general motions*

b. *a limit on the number of notices a member may give on a sitting day?*

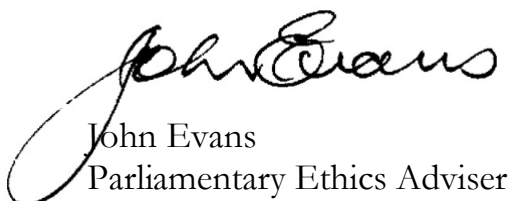
11. I do not believe that imposition of a word limit on notices is necessary at the present time nor a limit on the number of notices a member may give on any sitting day.

6. *Should the 20 sitting day expiry period for private members' notices relating to general motions be reduced? If so, what should the expiry period be?*

12. Perhaps the current 20 sitting day expiry period for private members business could be reduced to 18 sitting days (ie 6 sitting weeks given 3 sitting days each week).

13. I would be pleased to meet with your committee should that be considered necessary.

Yours sincerely



John Evans  
Parliamentary Ethics Adviser