



## LEGISLATIVE ASSEMBLY

# Procedural Digest

## Fifty-eighth Parliament, First Session

No. 1/2024: 6 – 8 February 2024

*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.*

February 2024

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## Chamber

### Joint Meeting to hear address by the Governor of Tokyo

New South Wales and Tokyo are celebrating the 40th anniversary of their Sister State relationship. This was first formalised by then-Premier the Hon. Neville Wran QC signing a Memoranda of Understanding in 1984. This year the Premier, Mr Chris Minns, and Her Excellency, Ms Yuriko Koike, Governor of Tokyo, signed a second Memoranda of Understanding between the two States to further enhance collaboration.

On Tuesday 6 February a suspension of Standing and Sessional Orders was agreed to by the House to invite Legislative Council Members to attend the Chamber for a joint meeting to hear an address from Her Excellency.

There was no procession from the Legislative Council. Instead, Members of both Houses were seated before the address commenced.

At 4:30pm, the Serjeant-at-Arms announced to the House the arrival of the procession of the Speaker, Mr Greg Piper, Her Excellency, Ms Koike and the President of the Legislative Council, Mr Ben Franklin. Ms Koike and Mr Franklin were seated at either side of the Speaker. The Clerks of the Legislative Council, Usher of the Black Rod and a number of Legislative Council Members were seated in the Assembly Chamber. Council Members were also seated in the Assembly's public galleries.

The Speaker, the Premier and Mr Dugald Saunders, the Leader of the Nationals, representing the Leader of the Opposition, welcomed the Governor and then Her Excellency delivered her address. At the conclusion of her speech, the President thanked the Governor for her address. Following the joint meeting the House resumed at the ringing of the long bell at 5:30pm.

The last time the Parliament received an address as part of a joint meeting in the Legislative Assembly was 8 September 1998, from the President of Ireland, Mary McAleese.

Joint meetings are different to joint sittings as they do not directly relate to parliamentary business, such as filling a vacancy in the Legislative Council or a vacancy in the Senate – which require a joint sitting. During the joint meeting the Mace was placed under the Table to indicate that the joint meeting was not part of the Assembly's sitting day.



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*Votes and Proceedings*: 8/9/1998, p. 824  
*Votes and Proceedings*: 6/2/2024, pp. 465 – 7, p. 478  
Standing Order 365 (Suspension of Standing Orders)

### Business

#### Condolence motion for the Hon. Michael Egan AO

On Thursday 8 February, the Premier, Mr Chris Minns, moved a motion of condolence in relation to the death of the Hon. Michael Egan AO. The Premier extended his deepest sympathies to the loved ones of Mr Egan and acknowledged Mr Egan's decades of service in the NSW Legislative Assembly, NSW Legislative Council and as New South Wales' longest serving Treasurer. Mr Egan's distinguished post-political career as Macquarie University's longest serving chancellor was also acknowledged.

Several Members spoke on the motion. The question was put and carried unanimously with Members and officers of the House standing as a mark of respect.

*Votes and Proceedings*: 08/02/2024, pp. 499-500  
*Hansard (Proof)*: 08/02/2024, pp. 20-36  
Standing Order 118(2) (Business with Precedence)

### Committees

#### New Committee inquiries

On Tuesday 6 February Mr Jason Li informed the House that the Public Accounts Committee had received a referral from the Minister for Local Government to conduct an inquiry into the assets, premises and funding of the New South Wales Rural Fire Service. The terms of reference cover the funding and maintenance of assets as well as the role of local government in the provision of emergency services.

Ms Lynda Voltz also informed the House that the Committee on Transport and Infrastructure had resolved to conduct an inquiry into critical transport infrastructure supporting the Western Sydney International Airport and Western Sydney Aerotropolis. The terms of reference cover an analysis of options and funding for transport infrastructure as well as the impacts of employment movements in Western and Southwestern Sydney.

On Thursday 8 February the Leader of the House, Mr Ron Hoenig, moved, by leave, that under section 14A of the *Constitution Act 1902*, the draft *Constitution (Disclosures by Members) Regulation 2024* be referred to the Parliamentary Privilege and Ethics Committee for inquiry and report by Monday 2 September 2024.

Section 14A of the *Constitution Act 1902* provides that the Governor, before making a regulation under subsection (1), shall afford 'any committee of either House of Parliament' an opportunity to make representations with respect to the proposed regulations and take into account any such representations. The Legislative Council's Privileges Committee is also currently inquiring into the draft Regulation.

*Votes and Proceedings*: 6/02/2024, p. 473; 8/02/2024, p. 499  
Standing Orders 142 (moving motions), 272(Committees-General provisions), 299(1) (Referrals and tabling of reports)  
Legislation: *Constitution Act 1902*, section 14A.



### Procedural note

The *Constitution (Disclosures by Members) Regulation* is the only regulation with a specific provision in the Constitution requiring the Governor to consider input from a committee inquiry. Section 14A of the *Constitution Act 1902* provides that the Governor take into account any representations made by a Committee in relation to the regulation.

## Bills

### Extension of lapsing date of private Member's bill

The *Human Tissue Amendment (Ante-mortem Interventions) Bill 2023* is a private Member's bill introduced by the Speaker and Member for Lake Macquarie, Mr Greg Piper, on 23 November 2023. The bill aims to amend the *Human Tissue Act 1983* to allow ante-mortem procedures to be carried out to facilitate post-mortem tissue donation.

The bill was due to lapse on 24 February 2024. However, on 8 February 2024 Leader of the House, Mr Ron Hoenig, moved that Standing and Sessional Orders be suspended to extend the lapsing date of the bill to 31 May 2024. The motion was agreed to on the voices.

*Votes and Proceedings*: 8/02/2024, p. 497

Standing Orders 105 (Precedence and lapsing of General Business) and 365 (Suspension of Standing Orders)

### Procedural note

Standing Order 105(3) provides that private Members' bills not commenced or completed 6 months from the date notice is given shall lapse. The *Human Tissue Amendment (Ante-mortem Interventions) Bill 2023* was due to lapse before the March sitting period. The House's agreement to suspend Standing and Sessional Orders to extend the lapsing date until the end of May extended the opportunity for the House to consider and debate the bill.

