

58th Parliament



LEGISLATIVE
ASSEMBLY

Consolidated Standing and
Sessional Orders
and
Resolutions of the House

August 2023



PARLIAMENT OF NEW SOUTH WALES

Legislative Assembly

*Consolidated Standing and
Sessional Orders
and
Resolutions of the House*

58th Parliament, August 2023

Standing Orders - Amendment history

On 21 November 2006 the House agreed to repeal the Standing Orders approved by the Governor on 12 December 1994, with amendments approved on 14 October 1996, and further agreed that the Standing Orders adopted by the Standing Orders and Procedure Committee on 28 September 2006, be approved with effect from the first day of the 54th Parliament commencing in 2007. (VP 21/11/06, p. 390)

On 25 June 2009 the House agreed to amendments to the Standing Orders. The amended Standing Orders were approved by the Governor on 3 July 2009.

On 11 November 2010 the House agreed to amendments to Standing Order 131. The amendments were approved by the Governor on 16 November 2010.

On 15 September 2015 the House agreed to amendments to the Standing Orders. The amended Standing Orders were approved by the Governor on 8 October 2015.

On 23 March 2016 the House agreed to amendments to the Standing Orders. The amended Standing Orders were approved by the Governor on 13 April 2016.

On 24 November 2021 the House agreed to amendments to the Standing Orders. The amended Standing Orders were approved by the Governor on 17 January 2022.

On 17 November 2022 the House agreed to amendments to the Standing Orders. The amended Standing Orders were approved by the Governor on 20 February 2023.

****Dates in the left-hand column throughout this document refer to the date of the most recent approval of that Standing Order, or amendment by Sessional Order. If there is no date against a Standing Order, it has remained in the same form as when first approved by the Governor on 21 February 2007.**

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Chapter 1

General conduct of business



Chapter outline

This chapter contains Standing Order 1, which repeals all previous Standing Orders.

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1. All previous Standing Orders are repealed.
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Chapter 2

Proceedings on the meeting of Parliament

Chapter outline

This chapter concerns the procedures for:

- the first sitting day after a General Election, and
- the first day of a new session.

Meeting of new Parliament after a General Election

2.	Procedure for first day	On the first day of a new Parliament after a General Election the proceedings shall be as follows:
20 February 2023		<ol style="list-style-type: none">(1) Members shall assemble at the time and place specified in the Governor's proclamation calling Parliament together and the Clerk shall read the Proclamation and announce the receipt of writs of election and the list of Members elected.(2) The House shall await a message from the Commissioner(s) appointed by the Governor for the Opening of Parliament.(3) The House shall attend at the place named in the message to hear the commission read. The House shall then return to its own Chamber.(4) The Commissioner(s) appointed by the Governor for administering the pledge or oath to Members shall be announced, and the commission read by the Clerk.(5) The writ of election of each Member, with the return endorsed, shall be produced by the Clerk.(6) Members shall make a pledge of loyalty or oath as prescribed by law and sign the roll.(7) The House shall then elect a Speaker (see SOs 10, 10A and 10B and Constitution Act 1902, section 31B).(8) Until a Speaker is elected, the Clerk shall preside and in any debate shall decide any point of order and determine which Member is entitled to address the House.(9) A Minister may then inform the House when the Governor will summon the House for the hearing of the Governor's reasons for calling the Parliament together. The House may then adjourn to that hour.

Meeting for a new session

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| 3. Governor's speech or commission read | On the first sitting day of a new session the proceedings shall be as follows: |
| 8 October 2015 | <ol style="list-style-type: none">(1) Members shall assemble at the time and place specified in the Governor's proclamation and the Clerk shall read the proclamation.(2) The Speaker shall read the prayer and acknowledgement of country and the House shall await a message from the Governor summoning the House to hear the Governor's opening speech or the commission read opening the session.(3) On receipt of the message the House shall attend at the place appointed.(4) Before the speech or commission is reported the House shall conduct some business of a formal nature without notice, in assertion of its rights.(5) After hearing the speech or commission read, the Speaker shall report and table the speech or the commission. |
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Address in Reply

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| 4. Address in Reply moved | An Address in Reply to the Governor's speech may be moved and seconded immediately after the speech is reported and tabled. |
| 5. Precedence | The debate on the Address in Reply to the Governor's Opening Speech shall take precedence of general business. |
| 6. Adoption | The Address in Reply may be adopted by the House with or without amendment. |
| 7. Presentation | The Address in Reply shall be presented to the Governor by the Speaker accompanied by the mover and seconder and other Members of the House at the time communicated to the Speaker by the Governor. |
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Presence of the Sovereign

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| 8. Opening of Parliament | When the Sovereign attends a session, references to the Governor shall be read and construed as references to the Sovereign. |
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Chapter 3

Speaker, Deputy Speaker, Assistant Speaker, Temporary Speakers and Officers

Chapter outline

This chapter concerns:

- procedures for the election of the Speaker, Deputy Speaker and Assistant Speaker,
- procedures for the nomination of Temporary Speakers,
- procedures in the absence of, or vacancies in, the offices of the Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers, and
- procedures in the absence of or vacancy in the office of the Clerk.

9.	Speaker – Role	(1)	Following election, the Speaker, when not presiding in accordance with section 31 of the <i>Constitution Act 1902</i> , is not precluded from participating in debate or discussion or from voting on any question.
	3 July 2009	(2)	The Speaker may, from time to time, issue guidelines in relation to matters not provided for in the Standing Orders.

When an election for Speaker takes place

10.	When an election for Speaker takes place	(1)	An election for Speaker shall take place at: (a) the opening of a new Parliament after the Members have been sworn or made an affirmation; or (b) any time when the office of Speaker is vacant. (See SO 16 regarding the conduct of business when a vacancy in the office of Speaker occurs when the House is sitting.)
	20 February 2023	(2)	The election shall be conducted by the Clerk acting as Chair in the manner provided below in standing orders 10A and 10B.

The nomination process for the election of the Speaker

10A.	The nomination process for the election of the Speaker	The nomination process for the election of the Speaker must be in accordance with section 31B of the <i>Constitution Act 1902</i> . In addition, the following procedures must apply:	
	20 February 2023	(1)	In the case of the election of the Speaker following a General Election, at least one week before the scheduled sitting all Members will be notified by the Clerk that nominations for the office of Speaker will be called for at the prescribed time (immediately after Members have taken the pledge or oath). A sample copy of the nomination form will be attached to the notification.
		(2)	In the case of the election of the Speaker due to a vacancy arising in the office of the Speaker, the Clerk will notify all Members as soon as practicable that nominations for the office of Speaker will be called for at the start of the next sitting day. A sample copy of the nomination form will be attached to the notification.
		(3)	Nominations must be seconded.

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- (4) The Member nominated must accept the nomination by endorsement on the instrument of nomination.
 - (5) At the prescribed time of the first day of sitting or in the case of a vacancy in the office of the Speaker at the commencement of the next sitting day, nominations are to be delivered to the Clerk at the Table in a sealed envelope by the person nominated or by any other Member.
 - (6) The identity of the nominator and seconder are not to be disclosed by the Clerk.
 - (7) The Clerk will ask the House if it is satisfied that reasonable opportunity has been given for the receipt of nominations, and advise that further nominations may not be made between ballots.
 - (8) The Clerk will then declare nominations to be closed.
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Procedures for the election of the Speaker

10B. Procedures for the election of the Speaker

20 February 2023

The process for the election of the Speaker must be in accordance with section 31B of the Constitution Act 1902. In addition, the following procedures apply:

- (1) Until a Speaker is elected, the Clerk shall preside and, in any debate, shall decide any point of order and determine which Member is entitled to address the House.
 - (2) In conducting the election, the Clerk will:
 - (i) announce the number of nominations received.
 - (ii) if there is one valid nomination, declare that Member to be elected.
 - (iii) if there is more than one valid nomination, announce the fact that a ballot will be required.
 - (iv) inquire if any Member wishes to speak to the nominations; any Member may speak for no more than ten minutes each. During debate, a Minister may move at any time without notice 'That the ballot be taken now'. The question is put immediately and without amendment or debate. If the votes are equal, the question is negatived. If the question is carried, or when debate ends, the House proceeds to a ballot.
 - (v) have ballot papers prepared and initialled.
 - (vi) order that the bells be rung as prescribed for the taking of a ballot.
 - (vii) call each Member by order of electorate, with Members proceeding to the Table to collect a ballot paper. The names of Members issued with ballot papers will be crossed off a list.
 - (3) After collecting a ballot paper, Members will cast their vote in secret at the Table. Members will place their ballot paper in the locked ballot box on the Table, before returning to their seat.
 - (4) When all Members present have been called, received a ballot paper, voted and placed a ballot paper in the ballot box the Clerk will ask if any Member has not voted and desires to do so. The Clerk will then ask the House if there is any objection to declaring the ballot closed.
 - (5) The Clerk will then declare the ballot closed.
 - (6) The votes will be counted by the Clerks.
 - (7) The Clerk will report the result of the ballot and declare a Member to be elected or the House will proceed to further ballots or, if necessary, the Clerk will determine the question by lot, in accordance with s. 31B of the Constitution Act.
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	(8) At no time during these proceedings will the Chamber be locked or the sitting suspended.
11. Procedure after election of Speaker 20 February 2023	<p>After election:</p> <p>(1) The elected Member shall be conducted to the Speaker's rostrum by two Members.</p> <p>(2) Having been so conducted the Member elected makes acknowledgement to the House for the honour conferred and takes the Chair as Speaker. The Mace shall be taken from under the Table, and placed on the Table.</p> <p>(3) After the House congratulates the Speaker, a Minister shall inform the House where and at what time the Governor will receive the House for the purpose of presenting the Speaker.</p> <p>(4) At the stated time the sitting may be adjourned or suspended and the House shall proceed, with any Members then present, to be received by the Governor.</p> <p><i>If the election occurs at the meeting of a new Parliament after a General Election</i></p> <p>(5) At such presentation the Speaker shall, in the name and on behalf of the House, lay claim to its undoubted rights and privileges.</p> <p>(6) On return the Speaker shall report the making of the claim.</p> <p><i>If the election occurs during the parliamentary term</i></p> <p>(7) A new Speaker filling a vacancy occurring during the currency of a Parliament does not lay claim to the privileges of the House.</p>

Election of Deputy Speaker and Assistant Speaker

12. When Deputy Speaker and Assistant Speaker elected	The Deputy Speaker and an Assistant Speaker shall be elected on the first sitting day of a new Parliament or whenever either office becomes vacant.
13. Procedure for election of Deputy Speaker	<p>The procedure for the election of the Deputy Speaker shall be as follows:</p> <p>(1) A motion shall be moved and seconded without notice that a Member be appointed Deputy Speaker.</p> <p>(2) The Speaker shall then ask if there is any further nomination, and if there is not, shall say that the time for motions has expired.</p> <p>(3) The Speaker shall, without motion put, declare the Member named in the motion to have been appointed Deputy Speaker.</p> <p>(4) If more than one motion for appointment is moved and seconded, the Speaker shall, after each subsequent motion, ask if there is any further motion, and if there is not, shall say that the time for motions has expired.</p> <p>(5) When there are no further motions debate may ensue.</p> <p>(6) No Member may speak for more than 5 minutes.</p> <p>(7) The closure may be moved on this question.</p>

	(8) Before putting the question on the closure the Speaker shall ask whether there are any further motions. Such motions will be received, no debate being allowed.
	(9) If the question on the closure is carried the necessary questions shall be put in the order in which they have been moved.
14.	The procedure for the election of the Assistant Speaker shall be the same as the procedure for the election of the Deputy Speaker.

Absence of or vacancy in the Offices of Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers

15.	Absence of the Speaker, Deputy Speaker and Assistant Speaker	<p>(1) In the absence of the Speaker on a day when the House is sitting the Deputy Speaker shall perform the duties of the Speaker.</p> <p>(2) In the absence of both the Speaker and the Deputy Speaker on a day when the House is sitting the Assistant Speaker shall perform the duties of the Speaker.</p> <p>(3) In the absence of the Speaker, Deputy Speaker and Assistant Speaker on a day when the House is sitting, a Temporary Speaker shall perform the duties of the Speaker.</p>
	8 October 2015	
16.	Vacancy in the Speakership	<p>If a vacancy occurs in the office of the Speaker:</p> <p>(1) When the House is sitting the Clerk shall inform the House and the Deputy Speaker shall perform the duties of the Speaker until the election of a new Speaker which shall take precedence of all other business on the next sitting day.</p> <p>(2) When the House is not sitting a new Speaker shall be elected on the next sitting day and such election shall take precedence of all other business.</p>
17.	Vacancy in the office of Deputy Speaker or Assistant Speaker	If a vacancy occurs in the office of Deputy Speaker or Assistant Speaker, the House, on being informed by the Speaker, shall proceed to the election of a new Deputy Speaker or Assistant Speaker.
18.	Absence of Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers during session	<p>If the Speaker, Deputy Speaker, Assistant Speaker and Temporary Speakers are all absent on a day when the House is sitting, the Clerk shall inform the House which shall, upon motion without notice, before any further business is conducted, proceed to the election of an Acting Speaker and:</p> <p>(1) The Clerk shall preside for the election of an Acting Speaker in the same manner as for the election of Deputy Speaker.</p> <p>(2) The Members present, if a quorum, may elect an Acting Speaker who shall perform the duties of the Speaker.</p> <p>(3) If the House does not proceed to an election the matter shall stand adjourned until the next sitting day or if a sitting day has not been set, a date set by the Government, when the election of an Acting Speaker, if still necessary, shall take precedence of all other business.</p>
	3 July 2009	

Temporary Speakers

19.	Nomination by Speaker	The Speaker shall nominate, at the commencement of each Parliament, not more than 5 Members as Temporary Speakers who, in the absence of the Deputy Speaker and Assistant Speaker, may exercise the powers and duties of the Speaker, and who shall be referred to whilst in the Chair as Temporary Speaker.
8 October 2015		

20.	Revocation of nomination	The Speaker may at any time revoke the nomination of a Member as a Temporary Speaker and nominate another Member.
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21.	Takes Chair when requested	The Deputy Speaker, Assistant Speaker or a Temporary Speaker shall take or vacate the Chair when requested to do so by the Speaker during a sitting.
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Absence of or vacancy in the Office of the Clerk

22.	Clerk's absence or vacancy	In the absence of or in the event of a vacancy in the Office of the Clerk, the Clerk's powers and functions shall be exercised by the officer next in seniority.
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Chapter 4

Swearing of Members, roll, register, leave of absence

Chapter outline

This chapter concerns procedures not dealt with on the first day including:

- the swearing in of Members not present on the first day,
- the roll of Members and the register of Members,
- the attendance of Members in the Chamber and on committees to which they are appointed, and
- the procedures for being granted a leave of absence.

23.	Pledge or oath other than on first sitting day	(1) Any Member not present on the first day of a new Parliament shall, at a subsequent sitting make the pledge of loyalty or oath as prescribed in law and sign the roll. (2) A Member returned at a by-election may be escorted into the Chamber by Members and shall make the pledge of loyalty or oath and sign the roll.
8 October 2015		
24.	Roll of Members	The Clerk shall keep a roll which shall show the names of Members, their dates of election, the dates of signing the roll and the dates of cessation of service and the reasons.
25.	Register of Members	At the commencement of each session, or on taking a seat, and within 14 days of any change, Members shall notify the Clerk of their residential and official address which shall be kept in a register by the Clerk.
26.	Front bench for Ministers	During Question Time the front bench to the right of the Speaker shall be reserved for Ministers.
27.	Attendance of Members	Every Member is bound to attend the service of the House and any committee to which they are appointed unless granted leave of absence by the House.
28.	Leave of absence	A motion may be moved at any time, without notice, amendment or debate, for a Member to be granted leave of absence. Such motion shall state the cause and the period, not exceeding the remainder of the current session.
29.	Leave of absence forfeited	Leave of absence shall be forfeited if the Member attends the service of the House or any committee before the expiry of the period of leave.

Chapter 5

Official records of the House

Chapter outline

This chapter concerns the keeping of official records of the House by the Clerk.

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| 30. Votes and Proceedings | The Clerk shall record as the Votes and Proceedings: <ul style="list-style-type: none">(1) The attendance of Members, including any leave of absence;(2) All votes;(3) Division lists;(4) Petitions received;(5) Proceedings in the House; and(6) Reports and other papers received and required to be tabled. Unless objection is taken within 3 sitting days the Votes and Proceedings shall be signed by the Speaker and the Clerk. |
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| 31. House Papers
3 July 2009 | (1) The Clerk shall, after each sitting day, publish: <ul style="list-style-type: none">(a) The Votes and Proceedings.(b) A Business Paper containing Notices of Motions and Orders of the Day.(c) A Questions and Answers Paper. (2) During any adjournment of the House for two weeks or more a Questions and Answers Paper will be published from time to time containing answers received. |
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| 32. Statutory rules | The Clerk shall publish a report of statutory rules listing the date gazetted, when laid upon the Table and the latest sitting day upon which a notice of disallowance may be given. |
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| 33. Custody of records | The Clerk shall have custody of all official records of the House and all papers tabled. Such papers shall not be taken from the Department of the Legislative Assembly without the permission of the Speaker. |
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Chapter 6

Meeting and adjournment of the House

Chapter outline

This chapter concerns the meeting and adjournment of the House, including:

- the timing for the ringing of the bells,
- quorum rules,
- the acknowledgement of Country and prayer, and
- the procedures for the recall of the House.

Days and times of meeting

34. Days and times of meetings	The House may appoint, on the motion of a Minister at any time, without notice, the day(s) and the time(s) of meeting and adjournment.
35. Bells	The timing for bells is as follows:
17 January 2022	<u>Tuesdays</u> Bells are rung at 11.45 a.m. for 20 seconds and at 11.58 a.m. for 60 seconds.
Standing Order amended by Sessional Order on 9 May 2023	<u>Wednesdays</u> Bells are rung at 9.45 a.m. for 20 seconds and at 9.58 a.m. for 60 seconds.
	<u>Thursdays</u> Bells are rung at 9.45 a.m. for 20 seconds and at 9.58 a.m. for 60 seconds.
	<u>After lunch</u> Bells are rung at 2.15 p.m. for 20 seconds and at 2.28 p.m. for 60 seconds.
	<u>Division</u> One continuous bell for four minutes.
	<u>Quorum</u> One long continuous bell (for up to four minutes until a quorum is present in the Chamber).
	<u>House adjournment</u> Two short bells.
	<u>One long bell</u> A continuous bell rung at the discretion of the Chair.
36. Speaker takes the Chair	The Speaker shall take the Chair at the time appointed on every day fixed for meeting.

Quorum at time of meeting

37. Quorum	The quorum necessary to constitute a meeting of the Assembly shall be at least 20 Members exclusive of the Member presiding (section 32, <i>Constitution Act 1902</i>).
3 July 2009	
38. Absence of quorum	When a quorum is not present at the commencement of the sitting: <ol style="list-style-type: none">(1) The bells shall be rung for 4 minutes.(2) If a quorum is then not formed after that time the Speaker shall adjourn the House until the next sitting day and the names of the Members present shall be entered in the Votes and Proceedings.(3) If the next sitting day has not been appointed, the House shall adjourn to the next succeeding business day.

Prayer and acknowledgement of Country

39. Prayer and acknowledgement of Country	<ol style="list-style-type: none">(1) The Speaker or the Clerk shall read the following prayer after the Speaker takes the Chair each day. “Almighty God, we ask for your blessing upon this Parliament. Direct and prosper our deliberations to the true welfare of Australia and the people of New South Wales. Amen.”(2) The Speaker or the Clerk shall read the following acknowledgement of Country after reading the prayer each day: “We acknowledge the Traditional Owners, the Gadigal People of the Eora Nation. We also acknowledge the Traditional Owners of the lands we represent and thank them for their custodianship of Country.”
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Quorum during sitting

40. Resumption of sitting without quorum	If during a sitting, the Speaker leaves the Chair until an appointed time or until the ringing of one long bell, the House may recommence its business at that time even if there is not a quorum present.
41. Absence of quorum and subsequent count-out	If a Member states that a quorum is not present in the House: <ol style="list-style-type: none">(1) The Speaker shall count the House.(2) If a quorum is not present the bells shall be rung for 4 minutes.(3) If after that time a quorum has not been formed, the names of the Members present shall be recorded in the Votes and Proceedings and the Speaker shall set down any business then before the House as an Order of the Day for a later time and adjourn the House until the next sitting day.(4) If the next sitting day has not been appointed, the House shall adjourn to the next succeeding business day.

42.	Chair's discretion on further quorum	The Speaker has discretion to proceed with business or order that the bells be rung on a second or any subsequent quorum call on any one sitting day.
	8 October 2015	
43.	No quorum in division	If the tellers of a division report there is no quorum, the Speaker shall adjourn the House until the next sitting day. If the next sitting day has not been appointed, the House shall adjourn to the next succeeding business day.
44.	Disorder on call of quorum	It is disorderly for any Member: (1) To call attention to the absence of a quorum when a quorum is present. (2) To leave the Chamber after attention has been called to the absence of a quorum.
45.	Restriction on quorum calls	Members shall not be permitted to call attention to the want of a quorum: (1) During Private Members' Statements or Community Recognition Statements; (2) During debate on a Petition signed by 10,000 or more persons; (3) During the take note debate on reports from committees; or (4) Before 10.30 a.m. on any sitting day.
	Standing Order amended by Sessional Order on 9 May 2023	

Adjournment and next meeting

46.	Adjournment without motion	(1) Unless otherwise ordered, the House shall be adjourned without motion moved at the conclusion of Private Members' Statements. (2) A Minister may at any time move without notice a motion for the adjournment of the House.
	17 January 2022	
	Standing Order amended by Sessional Order on 9 May 2023	
47.	Recall of House by Government	The Government, in the public interest, may in writing to the Speaker or, in the absence of the Speaker, the Deputy Speaker, request the House meet at an earlier time than set down on adjournment. If satisfied, the Speaker shall: (1) Fix a day and time and (2) Communicate the day and time to all Members.
47A.	Postponing meeting times	(1) When the House is not sitting the Government, in the public interest, may in writing to the Speaker or, in the absence of the Speaker, the Deputy Speaker, request an alternative day or hour for the next meeting of the House. If satisfied, the Speaker shall: (a) Fix a day and time; and (b) Communicate the day and time to all Members. (2) The Speaker's notification to each Member may be by electronic means. (3) This Sessional Order operates for the remainder of this session.
	Sessional Order adopted on 9 May 2023	
48.	Recall of House by absolute	An absolute majority of Members may in writing to the Speaker, or in the absence of the Speaker the Deputy Speaker, request the House meet at an earlier time than set down on adjournment. The Speaker shall:

majority of
Members

- (1) Fix a day and time within 10 days of the receipt of the request.
 - (2) Communicate the day and time to all Members.
 - (3) Accept an advice from the Leader of a recognised Party as a request on behalf of all its Members.
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Chapter 7

Rules of debate and privilege

Chapter outline

This chapter concerns the rules of debate and maintaining order in the Chamber, and procedures related to raising matters of privilege.

Order

49.	Speaker maintains order	The Speaker shall maintain order in the House.
49A.	Speaker has discretion to pause the timing clock	The Speaker has discretion at any time to pause the timing clock to maintain order in the House.
	17 January 2022	
50.	Members silent when Speaker rises	When the Speaker rises Members shall be seated and be silent.
51.	Members silent when question put	When the Speaker is putting a question Members shall be silent and shall not leave or cross the Chamber.
52.	No noise or interruption of debate	When a Member is speaking other Members shall not converse or make any noise or disturbance.
53.	No Member to pass between Chair	Members shall not pass between the Chair and the Table or between the Chair and the Member speaking.

54.	Members to be seated	Members shall be seated unless entering, leaving or moving to any other part of the Chamber during debate and shall not stand in any of the passage ways.
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Manner and right of speech

55.	Member must seek call	A Member wishing to speak will not be recognised by the Speaker unless the Member rises and seeks the call. After being recognised the Member may then speak at the Table or from their seat.
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56.	Illness or disability	A Member unable to stand because of illness or disability may speak while seated with the leave of the Speaker.
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57.	Motion “That Member be now heard”	A Member may move without notice that a Member who has risen but not received the call “ That the Member for be now heard ”. The question shall be decided without debate or amendment.
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58.	Motion “That Member be not further heard”	A Member may move without notice in regard to a Member who is speaking “ That the Member for be not further heard ”. The question shall be decided without debate or amendment.
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59.	Irrelevance or tedious repetition	The Speaker may direct a Member to discontinue a speech if the Member persists in irrelevance or tedious repetition.
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60.	Motion “That Member be further heard”	A Member, having been called to cease speaking, or any other Member, may require the Speaker to put the question, “ That the Member for be further heard ”. The question shall be decided without debate or amendment.
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61.	Member may speak	A Member may only speak: <ol style="list-style-type: none">(1) To a question or proceeding before the House which is open to debate or discussion.(2) When moving a motion.(3) When moving an amendment.(4) When rising to a point of order or privilege.(5) To make a personal explanation.(6) In explanation.
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| 62. Personal explanation | A Member may, when there is no question before the Chair and with the leave of the Speaker, explain a matter of a personal nature. A personal explanation shall not be debated and leave may be withdrawn by the Speaker at any time. |
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3 July 2009

Inaugural or valedictory speech

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| 63. Inaugural or valedictory speech | (1) A motion may be moved without notice, amendment or debate for the business to be interrupted at a specified time (but not so as to interrupt a Member speaking) to permit a Member to make an inaugural speech or a valedictory speech without a question being before the House. Any interrupted business shall be resumed on the completion of the speech. |
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17 January 2022

- (2) The time limit for inaugural speeches or valedictory speeches will be 20 minutes.
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| 64. Member to speak once | A Member may only speak once to a question, except:
(1) The Member in charge of the Order of the Day when the order is read.
(2) In explanation.
(3) In reply.
(4) During consideration in detail of any matter. |
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| 65. Member briefly heard in explanation | A Member, having concluded a speech, may be briefly heard again to explain a material part of their speech which has been misquoted or misunderstood but cannot:
(1) Interrupt another Member who is speaking.
(2) Introduce any new matter.
(3) Debate the matter.
(4) Be heard after the determination of the question before the Chair. |
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Reply

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| 66. Reply | A Member may speak in reply if the Member has moved:
(1) a substantive motion or
(2) a motion “ That this bill be now read a second time ” or
(3) a motion “ That this bill be now read a third time ”. |
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17 January 2022

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| 67. Subject of reply | The subject matter of a reply is confined to matters raised during the debate. |
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| 68. Reply closes debate | The reply of the mover of the original motion closes the debate. |
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| 69. No Member to speak after question put | A Member may not speak to a question after the Speaker has put the question. |
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70.	Quotation from Hansard or newspapers	A Member may only refer to or quote from a debate or proceeding of the current session in either House or newspaper report of such debate or proceeding if the reference or quotation is brief and: <ol style="list-style-type: none">(1) Relevant to the matter under discussion or(2) The subject of a personal explanation.
71.	Reflection on votes of the House	A Member shall not reflect on a previous decision of the House unless debating the rescission of such a vote.
72.	Offensive words not to be used	A Member shall not use offensive words against: <ol style="list-style-type: none">(1) The Sovereign or the Governor.(2) Either House or its Members.(3) A member of the judiciary.(4) A statute, unless moving for its repeal.
73.	Reflection on Members by substantive motion only	Imputations of improper motives and personal reflections on Members of either House are disorderly other than by substantive motion.
74.	Quarrels not permitted	The Speaker may intervene: <ol style="list-style-type: none">(1) When offensive or disorderly words are used by a Member.(2) To prevent a quarrel between Members arising out of debates or proceedings in the House.
75.	No Member to be referred to by name	A Member shall refer to other Members by their title of office or by the name of their electorate.
76.	Relevancy	A Member speaking shall be relevant to the subject matter of the debate.
77.	Anticipation	A Member shall not anticipate discussion of any matter which is on the Business Paper. In determining whether discussion anticipates debate the Speaker shall have regard to the probability of the matter being debated by the House within a reasonable period and the most effective means for it to be raised.
78.	Requirement for question to be stated	A Member may require the question to be stated by the Speaker during the debate without interrupting the Member speaking.

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79. Interruptions not allowed – exceptions
- A Member may only interrupt another Member to:
- (1) Raise a matter of privilege or contempt suddenly arising.
 - (2) Call attention to a point of order.
 - (3) Call attention to the want of a quorum.
 - (4) Call attention to the presence of visitors.
 - (5) Move a closure motion.
 - (6) Move “That the Member for be now heard.”
 - (7) Move “That the Member for be not further heard.”
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Matters not open to debate nor amendment

80. Matters not open to debate nor amendment	<p>The following matters are not open to debate nor amendment:</p> <ol style="list-style-type: none">(1) Adjournment of debate.(2) Adjournment of the House.(3) Extension of time.(4) Leave of the House.(5) Motion that a Member be suspended.(6) Motion that a Message be sent to the Legislative Council.(7) Motion that leave of absence be granted.(8) To withdraw or postpone an order of the day.(9) Personal explanation.(10) "That inspection of the paper be restricted to members only and that no copies or extracts thereof be permitted".(11) "That visitors be ordered to withdraw".(12) "That the bill be considered an urgent bill".(13) "That this bill be read at a later time".(14) "That the Order of the Day be discharged and the bill be withdrawn".(15) "That the Committee report be printed".(16) "That the Member for ... be further heard".(17) "That the Member for ... be not further heard".(18) "That the Member for ... be now heard."(19) "That the petition not be received".(20) "That the question be put as separate questions".(21) "That the question be now put".(22) "That the question be not now put".(23) "That the Member's speaking time be extended".(24) Motion to permit a Member to make an inaugural or valedictory speech.
8 October 2015 Standing Order amended by Sessional Order on 9 May 2023	
81. Abuse of forms of House	<p>The Speaker shall not receive a second time in a sitting, any question which is not open to debate or amendment if, in the Speaker's opinion, it would amount to an abuse of the orders or forms of the House, or is moved for the purpose of obstructing business.</p>

Adjournment of debate

82.	Adjournment of debate	A motion for the adjournment of a debate may only be moved by a Member who has not spoken to the question.
83.	Resumption of adjourned debate	The resumption of the debate may be set down for a later hour of the same day, tomorrow or a future day by the Speaker, on request of the Member in charge of the matter. In the absence of the Member in charge of the matter, the Speaker shall set down the resumption of the debate as an order of the day for a later time.
84.	Mover of adjournment if negated, held to have spoken	A Member whose motion for the adjournment of a debate is negated cannot speak later in that debate.

Maximum time limits for debates and speeches

85.	Maximum time limits	<p>The following maximum time limits shall apply for debates and speeches:</p> <p><u>Address in Reply (SO 5)</u></p> <table> <tr> <td>Premier</td> <td>- unspecified</td> </tr> <tr> <td>Leader of the Opposition</td> <td>- unspecified</td> </tr> <tr> <td>Mover</td> <td>- 15 minutes†</td> </tr> <tr> <td>Any other Member</td> <td>- 15 minutes†</td> </tr> <tr> <td>Reply</td> <td>- 15 minutes†</td> </tr> </table> <p><u>Bills (SO 188-239)</u></p> <p><u>Second Reading:</u></p> <p>(i) Introduced by a Minister</p> <table> <tr> <td>Mover</td> <td>- unspecified</td> </tr> <tr> <td>Leader of the Opposition or one Member deputed, next speaking</td> <td>- unspecified</td> </tr> <tr> <td>Any other Member</td> <td>- 10 minutes†</td> </tr> <tr> <td>Reply</td> <td>- unspecified</td> </tr> </table> <p>(ii) Appropriation Bill</p> <table> <tr> <td>Mover</td> <td>- unspecified</td> </tr> <tr> <td>Party Leaders</td> <td>- unspecified</td> </tr> <tr> <td>Any other Member</td> <td>- 15 minutes†</td> </tr> <tr> <td>Reply</td> <td>- unspecified</td> </tr> </table> <p>(iii) Introduced by a Private Member</p> <table> <tr> <td>Mover</td> <td>- unspecified</td> </tr> <tr> <td>Premier or one Minister deputed</td> <td>- unspecified</td> </tr> <tr> <td>Leader of the Opposition or one Member deputed</td> <td>- unspecified</td> </tr> <tr> <td>Any other Member</td> <td>- 10 minutes†</td> </tr> </table>	Premier	- unspecified	Leader of the Opposition	- unspecified	Mover	- 15 minutes†	Any other Member	- 15 minutes†	Reply	- 15 minutes†	Mover	- unspecified	Leader of the Opposition or one Member deputed, next speaking	- unspecified	Any other Member	- 10 minutes†	Reply	- unspecified	Mover	- unspecified	Party Leaders	- unspecified	Any other Member	- 15 minutes†	Reply	- unspecified	Mover	- unspecified	Premier or one Minister deputed	- unspecified	Leader of the Opposition or one Member deputed	- unspecified	Any other Member	- 10 minutes†
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Mover	- unspecified																																			
Premier or one Minister deputed	- unspecified																																			
Leader of the Opposition or one Member deputed	- unspecified																																			
Any other Member	- 10 minutes†																																			

Reply - unspecified

Consideration in detail of bill or other matter (SO 240-242)

Minister - unspecified number of periods limited to 15 minutes each

Leader of the Opposition or one Member deputed - unspecified number of periods limited to 15 minutes each

Any other Member - three periods each on any one question not exceeding 5 minutes each.

Bill be now read a third time after consideration in detail (SO 217)

All Members - 10 minutes†

Committees, reports from – take note debate (SO 306)

Chair or Member tabling the Report - 6 minutes

Any other Member - 4 minutes

(Question being put after 22 minutes)

Community Recognition Statements (SO 108A)

Member making statement - 1 minute each.

Days and times of meeting (SO 34)

Mover - 5 minutes

Three other Members - 5 minutes

Reply - 5 minutes

Public Interest Debate (SO 109)

Mover - 7 minutes

Six other Members - 5 minutes

Reply - 3 minutes

Debates not otherwise provided for

All Members - 20 minutes*

Expulsion of a Member (SO 254)

Mover - 30 minutes*

Member next speaking - 30 minutes*

Any other Member - 20 minutes*

Member in response - 20 minutes*

Reply - 20 minutes*

General Business notices of motions or orders of the day (not for bills) (SO 107)

In each debate:

Mover - 7 minutes

Member next speaking - 7 minutes

Four Members - 4 minutes each

Reply - 4 minutes

Inaugural Speech or Valedictory Speech (SO 63)

Member making inaugural speech or valedictory speech	- 20 minutes
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No confidence in the Government (SO 111)

Mover	- unspecified
Party Leader	- unspecified
Any other Member	- 30 minutes
Premier in response	- 45 minutes
Reply	- 45 minutes

No confidence in a Minister (SO 112)

Mover	- unspecified
Minister named	- unspecified
Any other Member	- 20 minutes
Response by Minister	- 30 Minutes
Reply	- 30 minutes

No confidence in Speaker (SO 113)

Mover	- unspecified
Member leading debate in opposition to the motion	- unspecified
Any other Member	- 20 minutes
Response by Member leading debate in opposition to the motion	- 30 minutes
Mover in reply	- 30 minutes

Censure of Member (SO 114)

Mover	- 15 minutes
Member named	- 15 minutes
Four other Members	- 5 minutes
Response by Member	- 10 minutes
Mover in reply	- 10 minutes

Censure of Speaker (SO 115)

Mover	- 15 minutes
Member leading debate in opposition to the motion	- 15 minutes
Four other Members	- 5 minutes
Response by Member leading debate in opposition to the motion	- 10 minutes
Mover in reply	- 10 minutes

Papers, printing of (SO 266)

All Members, including reply	- 3 minutes
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(The Speaker may call the Minister in reply if debate exceeds 30 minutes)

Petitions signed by 10,000 or more persons (SO 125A)

First Speaker	- 5 minutes
Four other Members	- 5 minutes each
Response by Minister	- 3 minutes
First speaker in reply	- 2 minutes
Total	- 30 minutes

Private Members' Statements (SO 108)

Member making statement	- 5 minutes
Replies by Ministers	- 1 minute

Privilege/Contempt (suddenly arising in House) (SO 91)

The Member may speak for 10 minutes to establish a prima facie case

Proceedings after consideration in detail

All Members	- 20 minutes*
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Re-ordering General Business (SO 106)

Member in charge of the bill	- 3 minutes
One other Member	- 3 minutes

Speaker, Deputy Speaker and Assistant Speaker, election of (SO 10, 13 and 14)

All Members	- 10 minutes
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Speaker's ruling, dissent (SO 95)

All Members, including reply	- 10 minutes
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(The Speaker may call on Member to reply if debate exceeds 30 minutes)

Statutory Rules, disallowance (SO 116)

All Members, including reply	- 10 minutes
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(The Speaker may call on Member to reply if debate exceeds 30 minutes)

Suspension of Standing Orders (SO 365)

Mover	- 5 minutes
One other Member	- 5 minutes
Reply	- 5 minutes

* A Member may request and the Speaker shall put, without debate or amendment, a question that the Member be allowed to continue that speech for a further period of up to 10 minutes.

† A member may request and the Speaker shall put, without debate or amendment, a question that the Member be allowed to continue that speech for a further period of up to 5 minutes.

Closure

<p>86. Motion “That the question be put”</p> <p>17 January 2022</p> <p>Standing Order amended by Sessional Order on 9 May 2023</p>	<p>A motion may be made by any Member, “That the question be now put”. Such motion:</p> <ol style="list-style-type: none"> (1) May be moved whilst another Member is addressing the House; (2) Shall be put forthwith and decided without amendment or debate; (3) Must be carried by at least 30 Members in the affirmative; and (4) May not be moved before 10.30 a.m. on any day when the House meets at an earlier time.
<p>87. Closure – right of reply</p>	<p>Whenever the closure is carried on a motion, the mover of the original motion, if entitled to a reply, shall be permitted to speak for up to 30 minutes or a lesser time if specified.</p>
<p>88. Limitation of application</p>	<p>The carrying of the closure only affects the last question proposed to the House.</p>
<p>89. Closure – consequential divisions</p>	<p>When the House has carried the question “That the question be now put” and any reply has been made, the Speaker shall then put any questions that are consequential on the carriage of the closure motion.</p>

Allocation of time for debate (guillotine)

<p>90. Closure – allocation of time for discussion</p> <p>17 January 2022</p>	<p>The Premier, or a Minister acting on the Premier’s behalf, may at any time state in the House the intention of the Government to deal with any business to a certain stage at a specified time at the next or a subsequent sitting.</p> <p>Written notification must subsequently be given to the Speaker and the Party Leaders and the notice shall be published in the Business Paper.</p> <p>To give effect to the notification a Member shall move at the specified time on the date given or at a later time at the same sitting the motion “That the question be now put”.</p> <p>The carrying of this question is an instruction to the Speaker to put to the vote every question necessary to give effect to the notification. No further debate, amendment or reply is permitted.</p> <p>After the carrying of the closure, the Speaker shall put to the vote any amendments proposed by a Minister provided that the amendments were lodged with the Clerk and printed and circulated by the Clerk at least 2 hours before the specified time.</p> <p>The closure may not be moved on any question contained in a notification of allocation of time under this Standing Order.</p> <p>If the closure under this Standing Order is agreed to during the second reading stage and there have been no Minister’s amendments circulated, the Speaker shall forthwith put to the vote the third reading of the Bill.</p>
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Privilege or contempt suddenly arising in the House

<p>91. Speaking to privilege</p>	<p>(1) A Member may rise on a matter of contempt or a breach of privilege suddenly arising relating to the proceedings then before the House. In order to move a substantive motion immediately or to request the Speaker to have a notice placed on the Business Paper with precedence, the Member must satisfy the Speaker that:</p> <ul style="list-style-type: none"> (a) the matter is one suddenly arising, relating to a matter then before the House which should be dealt with at the earliest opportunity; (b) there is a prima facie case; and (c) the Member has prepared a notice of motion. <p>(2) When a matter of contempt or a breach of privilege suddenly arising relating to the proceedings then before the House is raised, the business before the House is suspended until the Speaker:</p> <ul style="list-style-type: none"> (a) determines that there is no matter of contempt or breach of privilege; or (b) defers the matter and either continues or adjourns the business under consideration; or (c) determines that a prima facie case exists and allows a notice of motion to be moved forthwith or to have precedence for the next sitting; or (d) takes some other form of action. <p>(3) The maximum time available to a Member to satisfy the Speaker in accordance with paragraph (1) of this Standing Order is 10 minutes. The Speaker may determine the matter prior to the expiration of the 10 minutes.</p> <p>(4) If the Speaker determines that a prima facie case exists the Member must move a motion seeking either:</p> <ul style="list-style-type: none"> (a) the declaration of the House that a contempt or breach of privilege has occurred; or (b) the referral of the matter by the House to the Standing Committee on Parliamentary Privilege and Ethics for consideration.
<p>8 October 2015</p>	
<p>Standing Order amended by Sessional Order on 9 May 2023</p>	
<p>92. Matters of privilege not suddenly arising</p>	<p>Except as provided in Standing Order 91 and in paragraph (5) of this Standing Order, a matter of privilege or contempt shall be brought before the House as follows:</p> <ul style="list-style-type: none"> (1) A Member desiring to raise a matter of privilege or contempt must inform the Speaker of the details in writing. (2) The Speaker must consider the matter within 14 days and decide whether a motion to refer the matter to the Standing Committee on Parliamentary Privilege and Ethics (the Committee) is to take precedence under the Standing Orders. The Speaker must notify this decision in writing to the Member. (3) While a matter is being considered by the Speaker, a Member must not take any action or refer to the matter in the House. (4) If the Speaker decides that a motion for referral should take precedence, the Member may, at any time when there is no business before the House, give notice of a motion to refer the matter to the Committee. The notice must take precedence under Standing Order 118 on the next sitting day. (5) If the Speaker decides that the matter should not be the subject of a notice of referral, a Member is not prevented from giving a notice of motion in relation to the matter. Such notice shall not have precedence. (6) If notice of a motion is given under paragraph (4), but the House is not expected to meet on the day following the giving of the notice, with the leave of the House,
<p>17 January 2022</p>	

the motion may be moved at a later hour of the sitting at which the notice is given.

Point of order

93. **Point of order** A Member may, at any time, raise a point of order relating to a breach of the Standing Orders or the practice of the House which shall, until disposed of, suspend the consideration and decision of every other question.

94. **Consideration of point of order** When a Member rises on a point of order:

- (1) The Member who was speaking shall be seated.
- (2) The question only of order shall be stated to the Speaker.
- (3) The Speaker shall give a decision or hear further argument.

Dissent from Speaker's ruling

95. Dissent from Speaker's ruling or decision

20 February 2023

The procedure for dissenting from a ruling or decision of the Chair is as follows:

- (1) The Member must give notice of a motion at the time for notices with precedence stating the grounds of the dissent.
- (2) The notice shall be given and set down to be considered within three clear sitting days after the day on which the ruling was given.
- (3) The motion shall take precedence of all other business on the day appointed.
- (4) The Speaker shall be entitled to put the question where the debate exceeds 30 minutes, and to call on the mover in reply.
- (5) The notice lapses if not moved or postponed on the appointed day.
- (6) Any Member and the mover in reply shall each be entitled to speak for up to 10 minutes.

Leave of the House

96. Leave

When the leave of the House is required it must be granted without dissent. A request for leave shall not be debated.

Chapter 8

Routine of Business

Chapter outline

This chapter concerns the routine of business for each sitting day and the procedures for the following:

- Government Business,
- General (i.e. non-government) Business,
- Private Members' statements,
- community recognition statements,
- public interest debates,
- motions of censure,
- motions of no confidence,
- disallowance of statutory rules,
- unproclaimed legislation, and
- business with precedence.

97. Routine of Business

The House shall conduct its business in the following routine:

Tuesdays

17 January 2022

Standing Order amended by Sessional Order on 9 May 2023.

Sessional order amended on 24 August 2023.

1. At 12.00 noon the Speaker takes the Chair
2. Ministerial Statements
3. Giving of Notices of Motions (Government Business, Bills, Business with Precedence under Standing Order 118)
4. Question Time
5. Ministerial Statements
6. Papers
7. Committees – Tabling of reports and announcements
8. Petitions
9. Placing or Disposal of Business
10. Business with Precedence under Standing Order 118, if any
11. Giving of General Business Notices of Motion (General Notices), up to 15 minutes, then Speaker to leave the Chair
12. At 2.30 p.m., the Speaker resumes the Chair
13. Government Business
14. At 5.00 p.m., Public Interest Debate
15. Government Business (if required)
16. Community Recognition Statements
17. Private Members' Statements, after which the House shall adjourn without motion until the next sitting day.

Wednesdays

1. At 10.00 a.m. the Speaker takes the Chair

2. Giving of General Business Notices of Motion (General Notices), up to 15 minutes
3. Government Business
4. At 11.00 a.m., Ministerial Statements
5. Giving of Notices of Motions (Government Business, Bills, Business with Precedence under Standing Order 118)
6. Question Time
7. Ministerial Statements
8. Papers
9. Committees – Tabling of reports and announcements
10. Petitions
11. Placing or Disposal of Business
12. Re-ordering of General Business Orders of the Day (for Bills)
13. Business with Precedence under Standing Order 118, if any
14. Government Business
15. At 1.00 p.m., Committee Reports – Take note debates, for up to 30 minutes, then the Speaker leaves the Chair
16. At 2.30 p.m., the Speaker resumes the Chair
17. Government Business
18. At 5.00 p.m., Public Interest Debate
19. Government Business (if required)
20. Community Recognition Statements
21. Private Members' Statements, after which the House shall adjourn without motion until the next sitting day.

Thursdays

1. At 10.00 a.m. the Speaker takes the Chair
 2. Giving of General Business Notices of Motion (General Notices), up to 15 minutes
 3. General Business Notices of Motions for Bills for up to 20 minutes
 4. General Business Orders of the Day for Bills for up to 90 minutes
 5. At 11.00 a.m., Ministerial Statements
 6. Giving of Notices of Motions (Government Business, Bills, Business with Precedence under Standing Order 118)
 7. Question Time
 8. Ministerial Statements
 9. Papers
 10. Committees – Tabling of reports and announcements
 11. Petitions
 12. Placing or Disposal of Business
 13. Business with Precedence under Standing Order 118, if any
 14. Resumption of General Business Orders of the Day for Bills, the Speaker leaves the Chair at the conclusion of the 90 minutes
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15. At 2.30 p.m., the Speaker resumes the Chair
 16. General Business Notices of Motions or Orders of the Day (not being Bills)
 17. At 3.40 p.m., Government Business for up to 20 minutes
 18. At 4.00 p.m., Petition Debate
 19. Community Recognition Statements for 30 minutes
 20. Private Members' Statements, after which the House shall adjourn without motion until the next sitting day.

98. Friday sittings *Repealed*

17 January 2022

Placing or disposal of business

99. Notices take precedence

Notices of motions shall take precedence of orders of the day, and if called upon must be moved, withdrawn, or postponed in the order in which they appear on the Business Paper or lapse.

100. Placing or disposal of business

3 July 2009

The procedure for the placing or disposal of business (with the exception of establishing the program for General Business Days) is:

- (1) Each sitting day, in accordance with the Routine of Business, the Speaker shall ask if any Member wishes to postpone, withdraw or discharge any notice of motion or order of the day.
 - (2) A Member may, without debate, withdraw or postpone any notice of motion standing in their name on the Business Paper for that day.
 - (3) A Member may, without debate, postpone, or by motion, move to discharge an order of the day standing in their name on the Business Paper for that day.
 - (4) An Order of the Day for a bill may be discharged and the bill withdrawn on one motion.
 - (5) A Member, with the written authority of another Member, may act on behalf of that Member in regard to this Standing Order.
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Program for General Business Days

101. Establishing program for General Business Days

17 January 2022

Standing Order amended by Sessional Order on 9 May 2023

The procedure for establishing the program for General Business Days is as follows:

- (1) On Wednesdays, Members shall advise the Clerk in writing by 2.00 p.m. which General Business Notices of Motions for Bills, Orders of the Day for Bills, or Notices of Motions (not for Bills) standing in their name on the Business Paper are to be postponed. Party Whips may also advise the Clerk in writing of which items of General Business standing in the name of Members of their party are to be postponed.
- (2) The first ten notices on the Business Paper, not advised to be postponed by 2.00 p.m. on the day preceding a General Business Day, will be deemed to be proceeding. Any General Business Order of the Day for Bills re-ordered by the House to have precedence in accordance with Standing Orders 97 and 106 will retain such precedence.
- (3) On any day when General Business is being considered by the House, a Member may, without debate:
 - (a) withdraw or postpone any notice of motion standing in their name on the Business Paper for that day.
 - (b) postpone, or on motion, discharge an Order of the Day standing in their name on the Business Paper for that day.
 - (c) discharge an Order of the Day for a Bill on motion without debate or amendment, "That the Order of the Day be discharged and the Bill withdrawn".

Government Business

102. Ministers may arrange

Ministers may arrange Government Business in any order.

Ministerial Statements

103. Times for Ministerial Statements

Ministerial Statements may be made at the times indicated in the Routine of Business or at other times by leave of the House.

104. Duration of Ministerial Statements

Ministerial Statements are of unlimited duration and the Leader of the Opposition or any Member deputed may respond for the same period of time.

General Business

<p>105. Precedence and lapsing of General Business</p> <p>17 January 2022</p>	<p>(1) General Business Notices of Motions and Orders of the Day shall retain their relative places on the Business Paper and be considered in the order in which they are given or set down.</p> <p>(2) General Business interrupted by the operation of the Routine of Business shall stand adjourned and be set down as an Order of the Day for tomorrow with precedence of all other notices and orders, except any General Business Order of the Day accorded precedence for that day in accordance with Standing Order 106.</p> <p>(3) General Business Notices of Motions (for bills) and Orders of the Day (for bills) not commenced or completed 6 months from the date given shall lapse.</p> <p>(4) General Business Notices of Motions (not being bills) and Orders of the Day (not being bills) not commenced or completed 3 months from the date given shall lapse.</p>								
<p>106. Re-ordering General Business Orders of the Day (for Bills)</p> <p>17 January 2022</p>	<p>At the re-ordering of General Business Orders of the Day (for Bills) in the Routine of Business:</p> <p>(1) Any two Private Members may move to re-order an Order of the Day for a bill of which they have carriage, to give precedence to the resumption of the debate over other Orders of the Day listed for the following sitting day.</p> <p>(2) The carrying of one motion in (1) above prevents another Member moving a subsequent motion.</p> <p>(3) On a motion for re-ordering, the Member in charge of the bill shall be permitted to make a statement of up to 3 minutes and one other Member may reply for up to 3 minutes.</p>								
<p>107. Debate on General Business Notices of Motions or Orders of the Day (not being Bills)</p> <p>17 January 2022</p>	<p>(1) At the time listed in the Routine of Business, the House will consider General Business Notices of Motions or Orders of the Day (not being Bills).</p> <p>(2) In each debate the following time limits shall apply:</p> <table style="margin-left: 40px;"> <tr> <td>Mover</td> <td>- 7 minutes</td> </tr> <tr> <td>Member next speaking</td> <td>- 7 minutes</td> </tr> <tr> <td>Four Members</td> <td>- 4 minutes each</td> </tr> <tr> <td>Reply</td> <td>- 4 minutes</td> </tr> </table>	Mover	- 7 minutes	Member next speaking	- 7 minutes	Four Members	- 4 minutes each	Reply	- 4 minutes
Mover	- 7 minutes								
Member next speaking	- 7 minutes								
Four Members	- 4 minutes each								
Reply	- 4 minutes								

Private Members' Statements

<p>108. Private Members' Statements</p> <p>17 January 2022</p>	<p>The procedure for Private Members' Statements is as follows:</p> <p>(1) In accordance with the Routine of Business, the Speaker shall ask if there are any Private Members' Statements.</p> <p>(2) Up to 75 Private Members' Statements may be made over any one sitting week, within the time allocated in the Routine of Business, for up to 5 minutes each and replies by Ministers shall be limited to 1 minute each.</p> <p>(3) Private Members' Statements may be taken between items of business with the leave of the House for a specified period or a specified number of Members or until certain business is to be conducted as notified by the Minister in charge of the House at that time.</p>
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- (4) A division on any question or quorum call shall not be permitted during Private Members' Statements.
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Community Recognition Statements

108A. Community Recognition Statements

17 January 2022

The procedure for Community Recognition Statements is as follows:

- (1) Community Recognition Statements must not contain:
- (a) Matters of policy;
 - (b) Requests for the Government or the House, or another body to take some form of action or not; or
 - (c) Criticisms or negative reflections on any person, including Members, Office Holders, the Government, the Opposition or a third party.

Written Statements

- (2) Each Member can make three written Community Recognition Statements each sitting day.
- (3) Statements must be lodged electronically with the Table Office by 12.00 noon on a sitting day for publication in Hansard that day.
- (4) Written statements must not exceed 200 words.
- (5) A statement not conforming with the rules or with the practice of the House can:
- (a) Under the authority of the Speaker, be amended by the Clerk.
 - (b) Be ordered by the Speaker not to be included in Hansard.

Statements given in the House

- (6) In accordance with the Routine of Business, the Speaker will ask if there are any Community Recognition Statements.
- (7) Members may not give consecutive Community Recognition Statements.
- (8) Members may make Community Recognition Statements for up to 1 minute each, for a total of 30 minutes.
- (9) Community Recognition Statements may be taken between items of business with the leave of the House for a specified period or a specified number of Members or until certain business is to be conducted as notified by the Minister in charge of the House at that time.

Public Interest Debates

109. Public Interest Debates

17 January 2022

Standing Order amended by
Sessional Order on 9 May
2023

The procedure for the consideration of Public Interest Debates shall be as follows:

- (1) The notice of motion for debate must be submitted to the Speaker by 12.00 noon on the day of the debate.
- (2) The motion will be submitted by:
- (a) Government – sitting day Tuesdays
 - (b) Opposition – first and second sitting day Wednesdays
 - (c) Cross bench – third sitting day Wednesdays
- (3) The Speaker will determine whether the notice is in order.
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- (4) The Speaker will publish and announce the subject matter of the notice of motion in the House after the lunch break.
- (5) The following time limits shall apply to the debate:
- | | |
|-------------------|------------------|
| Mover | – 7 minutes |
| Six other Members | – 5 minutes each |
| Reply | – 3 minutes |
| Total | – 40 minutes |
- (6) At least one Member speaking in the debate must be from the cross bench.
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110. Matters of
Public
Importance

Repealed

17 January 2022

No confidence in the Government

111. No confidence in the Government - section 24B(2) *Constitution Act 1902*

3 July 2009

The procedure for motions of no confidence in the Government, pursuant to section 24B(2) of the *Constitution Act 1902* is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) The motion shall take precedence of all other business on a sitting day that is not less than 3 clear days after the notice has been given.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) Debate on such motion shall not be adjourned and the sitting of the House shall continue until the question is determined.
- (6) The following time limits apply to this debate:

Mover	- unspecified
Party Leader	- unspecified
Any other Member	- 30 minutes
Premier in response	- 45 minutes
Reply	- 45 minutes
- (7) The following motions cannot be moved:
 - That the Member be now heard.
 - That the Member be not further heard.
 - That the question be not now put (previous question).
- (8) The motion “**That the question be now put**” (closure) cannot be moved until at least 8 Members (inclusive of the mover and Party Leader(s)) have spoken to the original question before the House. The effect of the closure being agreed to does not preclude the response of the Premier.
- (9) During the currency of debate the Speaker shall leave the Chair at the time for adjournment each day and the sitting shall resume at 10.00 a.m. on each successive business day until the matter is determined.

111A. No confidence
in the
Government

3 July 2009

The procedure for motions of no confidence in the Government is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) The notice shall be called on at the next sitting day on which business with precedence is considered.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
- (6) The following time limits apply to this debate:

Mover	- unspecified
Party Leader	- unspecified
Any other Member	- 30 minutes
Premier in response	- 45 minutes
Reply	- 45 minutes
- (7) The following motions cannot be moved:
 - That the Member be now heard.
 - That the Member be not further heard.
 - That the question be not now put (previous question).
- (8) The motion **“That the question be now put”** (closure) cannot be moved until at least 8 Members (inclusive of the mover and Party Leader(s)) have spoken to the original question before the House. The effect of the closure being agreed to does not preclude the response of the Premier.

No confidence in Minister

112. No confidence
in a Minister

3 July 2009

The procedure for a motion of no confidence in a Minister is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) The notice shall be called on at the next sitting day on which business with precedence is considered.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
- (6) Debate will be as follows:

Mover	- unspecified
Minister named	- unspecified
Any other Member	- 20 minutes
Response by Minister	- 30 minutes
Mover in reply	- 30 minutes
- (7) The following motions cannot be moved:
 - That the Member be now heard.
 - That the Member be not further heard.
 - That the question be not now put (previous question).
- (8) The motion “**That the question be now put**” (closure) cannot be moved until at least 4 Members (inclusive of the mover and Minister named) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response by the Minister named.

No confidence in the Speaker

113. No confidence
in Speaker

3 July 2009

The procedure for a no confidence motion in the Speaker is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) The notice shall be called on at the next sitting day on which business with precedence is considered.
- (3) The motion may not be postponed or amended.
- (4) The motion may be withdrawn with the leave of the House.
- (5) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
- (6) Debate will be as follows:

Mover	- unspecified
Member leading the debate in opposition to the motion	- unspecified
Any other Member	- 20 minutes
Response by Member leading the debate in opposition to the motion	- 30 minutes
Mover in reply	- 30 minutes
- (7) The following motions cannot be moved:

That the Member be now heard.
That the Member be not further heard.
That the question be not now put (previous question).
- (8) The motion **“That the question be now put”** (closure) cannot be moved until at least 4 Members (inclusive of the mover and Member leading the debate in opposition to the motion) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member leading the debate in opposition to the motion.

Censure of a Member

114. Censure of a Member

3 July 2009

The procedure for a motion of censure of a Member is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
 - (2) The notice shall be called on the same sitting day at which the notice was given at the time set aside for business with precedence.
 - (3) If the motion is adjourned or interrupted it will be set down as an order of the day and considered on the next day that business with precedence is considered.
 - (4) Debate will be as follows:

Mover	- 15 minutes
Member named	- 15 minutes
Four other Members	- 5 minutes
Response by Member	- 10 minutes
Mover in reply	- 10 minutes
 - (5) The following motions cannot be moved:
 - That the Member be now heard.
 - That the Member be not further heard.
 - That the question be not now put (previous question).
 - (6) The motion **“That the question be now put”** (closure) cannot be moved until at least 4 Members (inclusive of the mover and Member named) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member named.
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Censure of the Speaker

115. Censure of Speaker

3 July 2009

The procedure for a motion of censure of the Speaker is as follows:

- (1) A notice of motion must be given at the time for giving notices for business with precedence.
- (2) The notice shall be called on the same sitting day at which the notice was given at the time set aside for business with precedence.
- (3) If the motion is adjourned or interrupted it will be set down as an order of the day and considered the next day that business with precedence is considered.
- (4) Debate will be as follows:

Mover	- 15 minutes
Member leading the debate in opposition to the motion	- 15 minutes
Four other Members	- 5 minutes
Response by Member leading the debate in opposition to the motion	- 10 minutes
Mover in reply	- 10 minutes
- (5) The following motions cannot be moved:
 - That the Member be now heard.
 - That the Member be not further heard.
 - That the question be not now put (previous question).
- (6) The motion **“That the question be now put”** (closure) cannot be moved until at least 4 Members (inclusive of the mover and Member leading the debate in opposition to the motion) have spoken on the original question before the House. The effect of the closure being agreed to does not preclude the response of the Member leading the debate in opposition to the motion.

Disallowance of statutory rules

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| 116. Disallowance of statutory rules | The procedure for a motion to disallow a statutory rule or instrument is as follows: <ol style="list-style-type: none">(1) The notice, if given within 15 sitting days after tabling, shall be set down on the Business Paper for the next sitting day with precedence.(2) Such motions shall have priority in the order given.(3) Time limits apply to this debate. |
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Unproclaimed legislation

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| 117. Unproclaimed Legislation | On the second sitting day of each session and then every 15th sitting day thereafter, the Speaker shall table a list of legislation remaining unproclaimed 90 days after assent. |
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Business with Precedence

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| 118. Business with Precedence | (1) The following matters constitute Business with Precedence and shall be dealt with in the following order in the Routine of Business, unless otherwise provided for: <ol style="list-style-type: none">(a) Dissent from Speaker's ruling.(b) No confidence in the Government, Minister or Speaker.(c) Censure of Member or Speaker.(d) Privilege/ contempt.(e) Expulsion of a Member.(f) Arrangement of business of the House.(g) Days and hours of sitting.(h) Disallowance of statutory rules.(i) Business accorded precedence by the House.(j) Votes of thanks or condolence.(k) Printing of papers. |
| 3 July 2009 | (2) Motions of condolence and motions for the printing of papers may be moved without notice at any time. |
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Chapter 9

Petitions

Chapter outline

This chapter concerns both paper and electronic petitions, including setting out rules related to:

- the lodgement of petitions,
- the form and content of petitions,
- responding to petitions, and
- petition debates.

119. Lodgement of paper petitions A paper petition must be lodged with the Clerk by 10 a.m. on the day it is to be reported to the House.

17 January 2022

Standing Order amended
by Sessional Order on 9
May 2023

119A. Lodgement of electronic petitions An electronic petition is considered to be lodged with the Clerk once the petition is no longer open for signatures.

17 January 2022

120. Clerk's certificate – paper petitions A paper petition must bear the Clerk's certification that it is in conformity with the Standing Orders.

17 January 2022

120A. Conformity with the Standing Orders – electronic petitions An electronic petition is in conformity with the Standing Orders when it is open for signatures.

17 January 2022

121. Contents of paper petitions A paper petition must:

- (1) Be legible and contain no alterations.
- (2) Be in English or be accompanied by a translation certified to be correct by the lodging Member.
- (3) Contain the request of the petitioner(s).

17 January 2022

	<p>(4) Contain the names and addresses of the petitioner(s) and their own original signatures on sheets containing the petition or the request and they must not be pasted on or otherwise transferred to the petition.</p> <p>A petitioner unable to write may affix their mark in the presence of a witness who shall list their own name and address as well as the name and address of the petitioner.</p> <p>(5) Contain at least one signature on the same sheet as the request.</p> <p>(6) Be respectful, decorous, and temperate in its language, and not contain irrelevant statements.</p> <p>(7) If from a corporation, be made under its common seal.</p> <p>(8) Be received only as the petition of the parties signing the same.</p>
<p>121A. Contents of electronic petitions</p> <p>17 January 2022</p>	<p>An electronic petition must:</p> <p>(1) Be in English.</p> <p>(2) Contain the request of the petitioner expressed in no more than 250 words.</p> <p>(3) Be respectful, decorous, and temperate in its language, and not contain irrelevant statements.</p> <p>(4) Be supported by at least five people before it is open to the public for signatures, with the petitioner and all signatories residents of New South Wales.</p> <p>(5) Be open for signatures for a period of three, twelve or twenty four weeks.</p> <p>(6) Be received only as the petition of the parties signing the same.</p>
<p>122. Petitions must not contain</p> <p>17 January 2022</p>	<p>A paper petition or electronic petition must not:</p> <p>(1) Have letters, affidavits, or other documents attached to it, except if it is a petition for a private bill.</p> <p>(2) Make reference to any debate in Parliament.</p> <p>(3) Be lodged by a Member who has signed the paper petition as a petitioner.</p> <p>(4) Contain language disrespectful to either House or the Governor.</p>
<p>123. Procedure for lodgement and presentation of paper petitions</p> <p>17 January 2022</p>	<p>The procedure for the lodging and presentation of a paper petition is as follows:</p> <p>(1) The Member must be acquainted with the contents of the paper petition.</p> <p>(2) The Member must ensure that the paper petition is in conformity with the Standing Orders.</p> <p>(3) The Member must sign the front sheet and, if applicable, certify that the paper petition has been signed by 500 or more persons.</p> <p>(4) The paper petition may be lodged for presentation with the Clerk.</p> <p>(5) In the House the Clerk shall announce that paper petitions have been received.</p> <p>(6) The terms of the paper petition presented shall be printed in Hansard and in the Votes and Proceedings.</p> <p>(7) No discussion upon the subject matter of a paper petition shall be allowed, except in accordance with Standing Order 125A or by way of substantive motion.</p>
<p>123A. Procedure for lodgement and</p>	<p>The procedure for the lodging and presentation of an electronic petition is as follows:</p> <p>(1) The Member must be acquainted with the contents of the electronic petition.</p>

<p>presentation of electronic petitions</p>	<p>(2) The Member must agree to present the electronic petition.</p> <p>(3) The electronic petition is considered presented after it is no longer open for signatures.</p> <p>(4) In the House the Clerk shall announce that electronic petitions have been received.</p> <p>(5) The terms of the electronic petition presented shall be printed in Hansard and in the Votes and Proceedings.</p> <p>(6) No discussion upon the subject matter of an electronic petition shall be allowed, except in accordance with Standing Order 125A or by way of substantive motion.</p>										
<p>17 January 2022</p>											
<p>124. Petitions deemed to have been received</p>	<p>Paper petitions and electronic petitions shall be deemed to be received by the House unless a motion, moved on the next sitting day, is agreed to, without debate or amendment, that a petition be not received.</p>										
<p>17 January 2022</p>											
<p>125. Referral to Minister and response</p>	<p>(1) A copy of every paper petition and electronic petition lodged with the Clerk and received by the House shall be referred by the Clerk to the Minister responsible for the administration of the matter which is the subject of the petition or electronic petition.</p> <p>(2) The Minister must lodge a response with the Clerk within 35 calendar days of a paper petition or electronic petition being received by the House if that paper petition or electronic petition has been signed by 500 or more persons.</p> <p>(3) The receipt of the response shall be reported to the House by the Clerk and a copy of the response sent to the Member who lodged the paper petition or electronic petition. The response shall also be published.</p>										
<p>17 January 2022</p>											
<p>125A. Debate on petitions signed by 10,000 or more persons</p>	<p>(1) The subject matter of every paper petition or electronic petition received by the House and certified by a Member and announced by the Speaker as having been signed by 10,000 or more persons, 20,000 or more persons for electronic petitions, shall be automatically set down as an Order of the Day "That the House take note of the petition".</p> <p>(2) The Order of the Day shall take place at 4.00 p.m. on the Thursday of the next sitting week.</p> <p>(3) Any further paper or electronic petitions received before the first Order of the Day is disposed of shall be set down on succeeding Thursdays in the order in which they are presented.</p> <p>(4) The following time limits shall apply:</p> <table data-bbox="590 1624 1165 1848"> <tr> <td>First speaker</td> <td>– 5 minutes</td> </tr> <tr> <td>Four other Members</td> <td>– 5 minutes each</td> </tr> <tr> <td>Response by Minister</td> <td>– 3 minutes</td> </tr> <tr> <td>First speaker in reply</td> <td>– 2 minutes</td> </tr> <tr> <td>Total</td> <td>– 30 minutes</td> </tr> </table> <p>(5) If a Member does not seek the call when the Order of the Day is called on, the Order of the Day will lapse.</p>	First speaker	– 5 minutes	Four other Members	– 5 minutes each	Response by Minister	– 3 minutes	First speaker in reply	– 2 minutes	Total	– 30 minutes
First speaker	– 5 minutes										
Four other Members	– 5 minutes each										
Response by Minister	– 3 minutes										
First speaker in reply	– 2 minutes										
Total	– 30 minutes										
<p>17 January 2022</p>											

Chapter 10

Questions seeking information

Chapter outline

This chapter concerns the rules for oral and written questions.

126. Question to Ministers	A Minister may be asked a question which relates to: (1) Public affairs; (2) Matters under the Minister's administration; or (3) Proceedings pending in the House for which the Minister has carriage.
127. Question to committee Chair	A Member, being the Chair of a committee, may be asked a question relating to the affairs of the committee.
128. Rules for questions 3 July 2009	The following general rules apply to both oral and written questions: (1) Questions cannot be debated. (2) Questions should not contain – (a) statements of facts or names of persons unless they are strictly necessary to render the question intelligible and can be authenticated; (b) argument; (c) inference; (d) imputation; (e) epithets; (f) ironical expression; (g) expression of opinion; or (h) hypothetical matter. (3) Questions should not ask for – (a) an expression of opinion; (b) legal opinion; (c) an announcement of government policy; or (d) confirmation of rumour or media reports.
129. Answer relevant 20 February 2023	An answer shall be directly relevant to the question asked.

130. Answer not to debate	In answering a Member shall not debate the matter to which the question relates.
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Question Time

131. Question Time (oral questions)	The procedure for Question Time is as follows:
20 February 2023	(1) Questions are asked orally and may be read and are subject to the same rules as written questions but shall not be recorded in the Questions and Answers Paper.
Standing Order amended by Sessional Order on 9 May 2023	(2) An answer to a question must not exceed three minutes.
	(3) At the conclusion of the Minister's answer to a question, the member who asked the question may, at the discretion of the Speaker, seek additional information from the Minister. The Minister's response on the additional information must not exceed two minutes.
	(4) No question shall be asked after 55 minutes from the Speaker calling on questions or the answering of 14 questions, whichever is the longer. So long as Question Time has a maximum period that does not exceed 70 minutes.
	(5) One supplementary question per Question Time may be asked immediately by the Member asking the original question. The answer shall count as one of the 14 answers.
	(6) The Leader of the Opposition is entitled to be called first by the Speaker at the commencement of Question Time.
	(7) Ministers seeking to provide additional information to questions already answered at the current or a previous sitting shall do so at the conclusion of Question Time.
	(8) Crossbench Members of Parliament are permitted at least two questions per Question Time, at question number 5 and question number 13.
	(9) Points of order taken during an answer to a question should not be vexatious, repetitive, interfering or used to make a statement in response to the answer.
	(10) When under Standing Order 49A the Speaker has stopped the clock during an answer in Question Time, the Member's speaking time clock shall be stopped but the overall timing clock for Question Time shall continue to run.

132. Written questions	The procedure for written questions is as follows:
8 October 2015	(1) Questions shall be lodged in the Table Office by 12.00 noon on a sitting day for publication in the next sitting day's paper.
Standing Order amended by Sessional Order on 9 May 2023	(2) A question containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may: (a) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other. (b) Be ordered not to be printed by the Speaker or removed from the Questions and Answers Paper.
	(3) The number of questions able to be lodged over one sitting week are: (a) Members – Nine questions per sitting week; (b) Leader of the Opposition – Twelve questions per sitting week.
	(4) Ministers shall lodge answers to written questions within 35 calendar days after the question is first published. Answers must be submitted by 12.00 noon on the due date, to be published in the next sitting day's paper. Any answers lodged after this time will be published at a subsequent time. Answers must be signed and may be lodged in either hard copy or electronically.
	(5) If an answer to a written question is not received within 35 calendar days the Speaker, at the next sitting day after the expiry date, shall forthwith inform the House and the Minister shall immediately explain to the House the reason for non-compliance.
	(6) If the Minister, after explanation in the House, has not submitted an answer within 3 sitting days the Speaker shall again inform the House and the Minister shall again be called to explain. The Minister will continue to be called each sitting day until a written answer is submitted.

Chapter 11

Notices of motions

Chapter outline

This chapter concerns notices of motions, including:

- giving a notice of motion,
- order on the business paper, and
- alterations, postponement or withdrawal of notices of motion.

133. Notice given verbally	(1) A notice of motion for: (a) A bill; (b) Government Business; (c) No confidence in the Government, Minister or Speaker, or censure of Member or Speaker; and (d) Business with Precedence, (SO 118) with the exception of motions of condolence and the printing of papers must be given verbally at the time prescribed in the Routine of Business.
17 January 2022	(2) General Business Notices of Motions (General Notices): (a) May only be given when called for at the time prescribed in the Routine of Business each day; (b) The period for giving a General Business Notice of Motion (General Notice) must not exceed thirty seconds; (c) The period for the giving of General Business Notices of Motions (General Notices) is limited to a maximum of 15 minutes. The Speaker has discretion to allow the giving of notices to exceed this 15 minute period.
134. Copy handed to Clerk	At the time of giving notice the original signed notice must be handed to a Clerk at the Table.
135. Notice by another Member	A Member by written request may give a notice of motion for another Member. The other Member's name must appear on the notice with the signature of the Member giving the notice.
136. Order on Business Paper	Notices of motions are set down on the Business Paper in the order in which they are given.
137. Argument or unbecoming expressions	A notice containing argument, unbecoming expressions or otherwise not conforming with the practice of the House may:

	(1) Under the authority of the Speaker, be amended by the Clerk or divided if it contains matters that are not relevant to each other.
	(2) Be ordered not to be printed by the Speaker, or removed from the Business Paper.

138. Giving more than one notice	Members (except Ministers) may not give more than one notice consecutively, except in the case of notices for disallowance of statutory rules.
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139. Alterations of notices	To alter a notice of motion already given, a Member must hand in an amended notice at least one sitting day before the motion is moved. The amended notice must not exceed the scope of the terms of the original notice.
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8 October 2015

140. Precedence of motions	Notices of motions, called on by the Clerk, shall have precedence of each other in accordance with the order in which they appear on the Business Paper or are postponed.
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141. Postponement or withdrawal of notices of motions	(1) A notice of motion shall be postponed or withdrawn at the direction of the Member who gave the notice, or by another Member with the written authority of that Member, during the placing or disposal of business or when called on.
	(2) On any day when General Business is being considered by the House the Speaker has discretion to postpone any notice of motion if the Member is absent from the Chamber.

17 January 2022

Chapter 12

Motions, Questions, Votes and Resolutions

Chapter outline

This chapter concerns procedures for moving and voting on a motion. It includes:

- moving and withdrawing a motion,
- putting a question to the House, and
- determining a question on the voices.

142. Moving motions	A Member may not move a motion unless: (1) Pursuant to a notice of motion appearing on the Business Paper; or (2) By leave; or (3) Pursuant to Standing Orders or Sessional Orders; or (4) By resolution of the House.
143. Speaker proposes question	After a motion has been moved the Speaker shall propose a question on the motion.
144. Withdrawal of motion	After a question on a motion has been proposed by the Speaker it is in possession of the House and cannot be withdrawn except by leave of the House.
145. Withdrawal of motion Member absent	A Member cannot seek leave of the House to move a motion to withdraw a proposed motion or amendment of another Member who is absent except with the written authority of that Member.
146. Amendment proposed	When an amendment is proposed to a motion the original motion cannot be withdrawn until the amendment is withdrawn or negated.
147. May be brought on again	A motion which has been superseded or withdrawn may be moved again during the same session.
148. Parts to be put as separate questions	<i>Repealed</i>

3 July 2009

149. Previous question	<i>Repealed</i>
17 January 2022	
150. Previous question on series of resolutions	<i>Repealed</i>
17 January 2022	
151. Question put	The Speaker shall put the question as soon as debate is concluded.
152. Question determined by the voices	A question being put shall be resolved in the affirmative or negative by the majority of voices "Aye" or "No" upon which the Speaker shall declare an opinion.
153. Separation of complicated question	When a question capable of being divided has been proposed, a Member may move a motion for the question to be put as separate questions. This question shall be decided without debate or amendment.
3 July 2009	
154. Same question not to be put	The Speaker may disallow any motion or amendment which is the same in substance as any question already determined in the affirmative or in the negative in the same session. Nothing in this Standing Order shall preclude the operation of section 5B of the <i>Constitution Act 1902</i> .
155. Rescission	A vote of the House, except a motion for the passing of a bill, may be rescinded during the same session after 7 clear days notice.
156. Corrections	A vote or proceeding of the House containing irregularities or mistakes may be corrected at once by leave of the House or by notice of motion.

Chapter 13

Amendments

Chapter outline

This chapter concerns the rules related to the form and procedure for moving an amendment to a question before the House. (See Chapter 16 for rules related to amendments to bills.)

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| 157. Forms of amendments | After a question has been proposed by the Speaker, it may be amended by: <ol style="list-style-type: none">(1) the omission of words:<p style="margin-left: 40px;">“That the words proposed to be left out stand part of the question”.</p>(2) the omission of words in order to insert or add other words:<p style="margin-left: 40px;">“That the words proposed to be left out stand part of the question”.</p><ul style="list-style-type: none">• If resolved in the affirmative the amendment is disposed of;• If negatived the question proposed is “That the words to be inserted (or added) be so inserted (or added)”.(3) the insertion or addition of words:<p style="margin-left: 40px;">“That the words proposed to be inserted (or added) be so inserted (or added)”.</p> |
| 158. Question in form “That the amendment be agreed to” | The Speaker may put a question in the form “That the amendment be agreed to”. |
| 159. Amendments to be written and signed | Amendments must be in writing and signed by the mover. |
| 160. Relevant | Amendments must be relevant to the question which it is proposed to amend. |
| 161. Not considered | Amendments shall not be considered if: <ol style="list-style-type: none">(1) Inconsistent with a previous decision on the question.(2) A later part has been amended.(3) A question has been proposed on an amendment to a later part unless the proposed amendment has been withdrawn by leave of the House.(4) It is to words already resolved should stand part of the question or which have been inserted or added, unless it is an addition to those words. |
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162. Amendment dealt with in order moved	An amendment which is moved must be dealt with before a second amendment to the original question can be moved.
163. Withdrawal of amendment	An amendment which has been moved may be withdrawn only by leave of the House.
164. Amendment to amendment	An amendment may be moved to an amendment as if that amendment were the original question.
165. Form of question	When an amendment is moved to omit words with a view to inserting or adding others, no amendment to the words proposed to be inserted or added can be considered until the question "That the words proposed to be left out stand part of the question" is dealt with.
166. Original question amended	When amendments have been agreed to, the original question as amended shall be put.

Chapter 14

Orders of the Day

Chapter outline

This chapter concerns the procedures relating to items of business that appear as Orders of the Day on the Business Paper.

167. Setting down business	Where the business before the House is adjourned or is interrupted the Speaker shall set down its resumption as an order of the day for a later time.
168. Precedence	Orders of the Day shall have precedence according to the order in which they appear on the Business Paper.
169. No notice – Order of the Day	Where there is no notice to be called on the Speaker may direct the Clerk to read the Order of the Day.
170. Postponement or discharge	When the Order of the Day is read it may, by the Member in charge of the Order, or with written authority by another Member on that Member's behalf, be: (1) Postponed or (2) Discharged, on motion without debate or amendment.
171. Precedence for Member in charge	The Member in charge of the Order of the Day shall be entitled to speak first when the Order is read without closing the debate.
172. Restoration of lapsed order	After Orders of the Day have commenced, a motion for restoring a lapsed Order may be moved without notice when there is no other business before the House.

Chapter 15

Divisions

Chapter outline

This chapter concerns processes for calling a division and voting in the House. It includes procedures for:

- calling for a division,
- voting in a division, and
- the casting vote.

173. Call for division	To challenge the opinion of the Speaker a Member shall call for a division before the question is declared.
174. Procedure for division	<p>The procedure for calling a division is as follows:</p> <ol style="list-style-type: none"> (1) The Speaker must first state an opinion, after putting a question, as to whether the Ayes or the Noes have it and if unchallenged declare the question accordingly. (2) If there has been a voice for both the Ayes and the Noes, a division may then be called for. (3) To call a division a Member must have called against the Speaker's determination.
175. Must vote as called	A Member having called for one side cannot vote on the other and if the Speaker is satisfied that this has occurred the vote shall be recorded accordingly.
176. Pecuniary interest	A Member cannot vote on any question in which the Member has a direct pecuniary interest not held in common with other citizens of the State.
177. Determining pecuniary interest	A Member's vote may be disallowed, by way of substantive motion moved without notice after the division is completed, on the grounds of a pecuniary interest.
178. Entitlement to vote	A Member shall only be entitled to vote in a division if present in the House after the doors are locked.

17 January 2022

Standing Order amended
by Sessional Order on 9
May 2023

<p>179. Vote disallowed on motion</p>	<p>A Member's vote may be disallowed, by way of substantive motion moved without notice after the division is completed, on the grounds that the Member was not present in the House after the doors were locked.</p>
<p>17 January 2022</p>	
<p>Standing Order amended by Sessional Order on 9 May 2023</p>	
<p>180. Procedure for Division</p>	<p>When a division has been called for:</p> <ol style="list-style-type: none"> (1) The Speaker shall order the division bells to be rung for 4 minutes. (2) Members present shall be seated – Ayes to the right and Noes to the left of the Chair. (3) After the time has expired the Speaker shall order the doors to be locked. (4) The Speaker shall put the question. (5) The Speaker shall appoint two tellers for each side. (6) Tellers may not decline to be appointed unless excused by the Speaker. (7) In the event of the tellers not agreeing, other tellers shall be appointed until there is agreement. (8) After counting the votes the tellers shall sign the record of the division and advise the Speaker of the result, who shall declare the result of the division. (9) No Member shall enter or leave the Chamber until after the doors are unlocked.
<p>17 January 2022</p>	
<p>Standing Order amended by Sessional Order on 9 May 2023</p>	
<p>181. Five Members or fewer, names recorded</p>	<p>If there are five or fewer Members on a side on a division, without completing the division, the Speaker shall declare the question resolved and the number in the minority and their names shall be recorded.</p>
<p>182. Error in tally</p>	<p>Unless corrected, another division shall be called if there is confusion or error in the numbers reported.</p>
<p>183. Correction of records</p>	<p>A complaint that a division has been inaccurately reported in the Votes and Proceedings and Hansard must be raised as a point of order in the House and the Speaker, if satisfied, may cause the record to be corrected.</p>
<p>184. Member presiding - casting vote</p>	<p>In the event of an equality of votes, the Member presiding shall give a casting vote and any reasons given may be recorded in the Votes and Proceedings.</p>
<p>3 July 2009</p>	
<p>185. Successive divisions</p>	<p>If a second division is called for and the bells rung following limited or no intervening debate after an earlier division and sufficient time has elapsed after the division bell has been rung, the Speaker may, with the leave of the House, order the doors to be locked and the vote taken.</p>
<p>17 January 2022</p>	
<p>Standing Order amended by Sessional Order on 9 May 2023</p>	

186. Pairs	Members pairing on any division shall be recorded on the tellers' lists and printed in the Votes and Proceedings and Hansard.
187. Restrictions on divisions	The House shall not conduct a division on any question before 10.30 a.m. on days when the House meets at an earlier time, during Private Members' Statements, or Community Recognition Statements. If a division is called prior to 10.30 a.m. on such days, the division shall be deferred and conducted at 10.30 a.m. and any business then before the House shall be interrupted and recommenced after the division(s).

Standing Order amended by Sessional Order on 9 May 2023

Chapter 16

Bills

Chapter outline

This chapter concerns the stages of a bill's passage through the House, and includes procedures for:

- the first, second and third reading of bills originating in the Legislative Assembly,
- cognate bills,
- amendments to bills,
- the consideration of amendments proposed by the Legislative Council, and
- bills originating in the Council.

188. Introduction of bills

17 January 2022

The procedure for the introduction and the passage of a bill up to the mover's second reading speech is as follows:

- (1) The title of a bill must agree with the notice of intention to present it, and every clause must come within the title. It shall not be necessary to specify in the long title every Act which it is proposed to amend.
- (2) A notice of motion shall be given: "**I give notice of motion to introduce the [short title of the bill]**". It is sufficient for the mover to read the short title.
- (3) The motion to introduce the bill may be moved on the same day notice is given and shall include the long title.
- (4) The question "**That this bill be now introduced**" shall be put without debate or amendment and the bill shall be taken as read a first time without question put.
- (5) The bill as introduced shall correspond with the notice of motion.
- (6) Three copies of the bill shall be handed to the Clerk.
- (7) The bill shall be printed, with an explanatory note if applicable, without motion put.
- (8) The motion "**That this bill be now read a second time**" may be moved forthwith or set down for a later time.
- (9) Immediately following the mover's second reading speech the debate shall be adjourned.
- (10) The mover shall ask the Speaker to fix the resumption of the debate as an Order of the Day for a future day which shall be at least five clear days ahead.
- (11) On the reading of the Order of the Day a motion may be moved "**That this bill be now read a second time**", or "**That the order be postponed**" or, on a motion without notice, "**That the order be discharged and the bill be withdrawn**".

188A. Responding to matters raised by the Legislation Review Committee

- (1) The Member with carriage of a bill shall, if reasonably practicable, address any matters raised by the Legislation Review Committee in its report on the bill during the bill's second reading debate.
- (2) If not reasonably practicable for a response to be made during the debate, and a response has not been given in the House, the Member with carriage is to

Sessional Order adopted on 9 May 2023	provide a response to the matters raised by the Legislation Review Committee by correspondence to the Committee.
189. Procedure for urgent bills 17 January 2022	The procedure for the consideration of a bill as an urgent bill is as follows: <ol style="list-style-type: none"> (1) Sufficient copies being available to Members, the Member in charge of the bill, after making a second reading speech, may declare a bill to be an urgent bill. (2) The question “That the bill be considered an urgent bill” is put forthwith, no debate or amendment being allowed. (3) If agreed to, the second reading debate and other stages may be proceeded with forthwith or at any time during that or any future sitting of the House.
190. Governor's message required	The House shall not proceed upon any bill for the appropriation of any part of the Consolidated Fund, or for any other tax or impost for any purpose which has not been first recommended by message of the Governor during the Session in which such bill shall be passed. This provision does not apply to a bill introduced by a Minister or to a vote or resolution proposed by a Minister.
191. Private Member may introduce public bill	A public bill may be introduced by a private member.
192. Certain bills deemed public	A bill for the improvement of a council area and promoted by that council shall be deemed and taken to be a public bill.
Cognate bills	
193. Procedure for cognate bills 17 January 2022	The procedure for two or more bills to be dealt with as cognate bills is as follows: <ol style="list-style-type: none"> (1) The notice of motion for the bills shall state that the bills are cognate. (2) One motion may be moved and one question put in regard to, respectively, the introduction, the second reading, the consideration in detail stage and the third reading of the bills together. (3) The bills may be considered together in detail.
194. Second and third reading of cognate bills 17 January 2022	An amendment may be moved to a question on the second or third reading of cognate bills to leave out one or more of the bills from the question.
195. Separate questions 17 January 2022	In respect of cognate bills, a Member may move a motion for the question to be put on the second or third reading of cognate bills as separate questions.
196. Consideration of Council amendments	Council amendments in cognate bills may be considered together in detail.

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| 197. Presentation to the Governor | Cognate bills shall not be presented to the Governor for assent until all bills have been passed or otherwise disposed of. |
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Debate on Second Reading

198. Amendment – referral to committee 17 January 2022	Amendments may be moved to the question “That this bill be now read a second time” to leave out all words after the word “That” and adding words to refer the bill to a committee (as specified).
199. Disposal of bill 17 January 2022	An amendment may be moved to the question “That this bill be now read a second time” to leave out all words after “That” and adding “this bill be disposed of”. No amendment may be moved to this amendment.
200. Amendment – deferral of question 17 January 2022	An amendment may be moved to the question “That this bill be now read a second time” to leave out the word “now” and adding a later time.
201. Report from committee	The report of a committee on a bill, having been tabled shall be set down for consideration with the bill as an Order of the Day for a later time.
202. Discharge of order and introduction of second bill 17 January 2022	An Order of the Day for the second reading (or any subsequent stage of a bill) having been discharged and the bill withdrawn, the House may direct on motion for another bill to be brought in.

Proceedings after the second reading

203. Proceedings after the second reading 17 January 2022	After the second reading, the Member in charge of the bill shall move forthwith, without debate or amendment, “ That this bill be now read a third time ” unless: <ol style="list-style-type: none"> (1) A Member requests consideration of the bill in detail; or (2) The Member in charge of the bill: <ol style="list-style-type: none"> (a) moves a motion for consideration in detail pro forma; or (b) requests the Speaker to set down consideration of the bill in detail as an Order of the Day for a later time.
204. Pro forma consideration in detail 17 January 2022	The procedure for dealing with a pro forma consideration in detail is as follows: <ol style="list-style-type: none"> (1) After the second reading, the Member in charge of the bill shall move “That the House consider the bill in detail pro forma”. The question shall be put without amendment or debate. (2) The proposed amendments, which have been previously printed, shall be put in one question, without amendment or debate, “That the amendments as printed be inserted in the bill”. (3) If the motion is agreed to the bill shall be reprinted in its amended form, set down for reconsideration and, on reconsideration, be dealt with as if considered for the first time. (4) If the question for the pro forma consideration, or for the inclusion of the amendments is negated, the bill shall be proceeded with in consideration in detail in the usual manner.

205. Preamble postponed	A preamble in a bill shall not be considered until after all the clauses and schedules and a question shall be proposed “That the preamble be agreed to” .
206. Words of enactment not put	The words of enactment in the bill shall not be considered.
207. How clause read	The Speaker shall refer to the clauses/schedules by number.
208. Clauses read and put	On each clause/schedule, the Speaker shall propose a question “That the clause/schedule be agreed to” . Clauses/schedules may be considered separately or, by leave, in groups or as a whole.
209. Order of consideration	Clauses, schedules and amendments shall be considered in detail in the following order: <ol style="list-style-type: none"> (1) Clauses/schedules as printed together with proposed new clauses/schedules, in their numerical order. (2) Postponed clauses/schedules in their numerical order. (3) Preamble (if any). (4) Long title (if any).
210. Amendments relevant	Amendments may be moved to any part of the bill provided they are within the long title of the bill or relevant to the subject matter of the bill and are otherwise in conformity with the Standing Orders and practice.
211. Long title amended	If an amendment has been made in the bill, necessitating an amendment to the long title a question shall be proposed, “That the long title, as amended, be the long title of the bill” .
212. Clauses put as amended	If a clause/schedule is amended, a further question shall be proposed “That the clause/schedule as amended be agreed to” .
213. Clauses postponed	A clause/schedule, or a clause/schedule which has been amended, may be postponed and shall be considered at the end of the bill or as otherwise ordered.
214. Relevancy	During consideration of a matter in detail, debate must be relevant to the subject matter of the clause, schedule or amendment under consideration.
215. Reconsideration	A clause/schedule that has been passed with or without amendment cannot be reconsidered and amended unless the House agrees to reconsider it in detail.

216. Referral to Committee	A motion to refer a bill to a committee cannot be moved after the consideration in detail stage on the bill.
217. Reconsideration in whole or part	After consideration in detail a bill may be reconsidered in whole or in part by amendment to the motion “That this bill be now read a third time” .
17 January 2022	
218. Bill passes	After the third reading no further question shall be put, and the bill shall have passed the House.
17 January 2022	
219. Corrections	Amendments of a clerical, typographical, or formal nature and other obvious errors may be corrected in any part of the bill by the Clerk.
220. Clerk's certificate	A bill having been read a third time, the Clerk shall certify, at the top of the first page “That this public [or private] bill, originated in the Legislative Assembly and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.”
17 January 2022	

Transmission to Council

221. Message to Council	A bill having been certified by the Clerk shall be sent to the Council with a message signed by the Speaker desiring the concurrence of that House.
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Council proposed amendments to Assembly bills

222. Return of bill with proposed amendments	An Assembly bill returned from the Council with amendments shall be reported and the Speaker shall fix a later time for the consideration of the amendments or the amendments may be considered in detail forthwith.
223. Consideration of Council amendments	The Order of the Day having been read, amendments made by the Council in an Assembly bill shall be considered in detail.
224. Forms of question on Council amendments	Amendments made by the Council to an Assembly bill shall be either: (1) Agreed to; (2) Agreed to with an amendment or amendments; (3) Disagreed to; (4) Postponed as an Order of the Day; or (5) The bill ordered to be laid aside. As to (1):

A message shall be sent informing the Council that the amendments have been agreed to.

As to (2):

The bill shall be returned with a schedule of the amendments to the Council amendments, certified by the Clerk, in a message desiring the concurrence of the Council.

As to (3):

A message giving reasons for the disagreement shall be sent; the Member in charge of the bill drawing up the reasons.

As to (4):

Postponed by the Member in charge as an Order of the Day.

As to (5):

A message shall be sent informing the Council that the bill has been laid aside.

225. Amendments to Council amendments

An amendment to a Council amendment must be:

- (1) Relevant to the matter of the Council amendment or
- (2) Consequential to the agreement or disagreement of an amendment of the Council.

226. Council response to amendments made on its amendments

If the Council returns an Assembly bill with a message:

- (1) Insisting on the original amendments to which the Assembly has disagreed or
- (2) Disagreeing to amendments made by the Assembly on the original amendments of the Council or
- (3) Agreeing to amendments made by the Assembly on the original amendments of the Council, with further amendments:

The Assembly may:

As to (1):

- Agree to the amendments to which it had previously disagreed;
- Insist on its disagreement to such amendments and lay the bill aside;
- Request a conference.

As to (2):

- Withdraw its amendments and agree to the original amendments of the Council;
- Insist on its amendments to which the Council has disagreed and lay the bill aside;
- Request a conference.

As to (3):

- Agree to such further amendments of the Council;
- Disagree and insist on its own amendments which the Council has amended and lay the bill aside;
- Request a conference.

Nothing in this Standing Order shall affect the right of the Assembly to proceed in accordance with the provisions of section 5B of the *Constitution Act 1902*.

227. Messages on Council amendments	<p>A message shall be sent to the Council if:</p> <ol style="list-style-type: none"> (1) The Council's amendments to the Assembly bill are agreed to. (2) A conference is desired. (3) The bill has been laid aside. (4) The bill is finally passed by the Assembly.
228. Privileges not insisted upon	<p>Subject to section 5 of the <i>Constitution Act 1902</i>, the House will not object to legislation initiated in the Legislative Council on the ground that it contains provisions:</p> <ol style="list-style-type: none"> (1) Imposing or otherwise dealing with pecuniary fines or penalties; or (2) Requiring payment of or otherwise dealing with pecuniary fees for services or for licences or similar authorities.

Procedure in the Assembly for Council bills

229. Procedure in the Assembly for Council bills	<ol style="list-style-type: none"> (1) When the message from the Council forwarding a bill for concurrence is reported, the bill shall be introduced and read a first time without motion put. (2) A message forwarding a private member's public bill or a private bill from the Council cannot be reported until the Speaker is advised which Member of the Assembly will have carriage of the bill. Once reported the bill will be set down as an Order of the Day. (3) A motion "That this bill be now read a second time" may be moved forthwith or made an Order of the Day for a later time. Except in the case of a private member's bill which can only be moved when it is called on in accordance with the Routine of Business. (4) A truncated second reading speech may be given if the bill is received in the same form as introduced into the Council. (5) Immediately following the mover's second reading speech, the debate may be adjourned or proceeded with forthwith. (6) If adjourned, the resumption of the debate shall be set down as an Order of the Day for a later time. (7) The bill shall then be proceeded with in the same manner as a bill originating in the Assembly.
17 January 2022	
230. Return of Council bill	<p>When a Council bill has been passed by the Assembly it shall be returned to the Council by message, with the Clerk's certificate on the bill "That the Assembly has this day agreed to this bill with [or without] amendment."</p>
231. Amendment of Council bill	<p>A Council bill which has been amended shall be returned by message, together with a schedule of the amendments, requesting the concurrence of the Council in the amendments.</p>
232. Schedule of amendments	<p>The schedule of amendments to a Council bill shall:</p> <ol style="list-style-type: none"> (1) Contain references to the page, line, clause or schedule of the bill where the words are to be inserted or omitted; (2) List the amendments proposed; and (3) Be certified by the Clerk.

233. Consideration of disagreements in Council bills	<p>If the Council returns a Council bill with a message:</p> <ol style="list-style-type: none">(1) Disagreeing to any amendments made by the Assembly; or(2) Agreeing to amendments made by the Assembly with amendments. <p>The Assembly may by message:</p> <p>As to (1):</p> <ul style="list-style-type: none">• Insist or not insist on its amendments or• Make further amendments to the bill consequent upon the disagreement of its amendments or• Order the bill to be laid aside <p>As to (2):</p> <ul style="list-style-type: none">• Agree to the Council's amendments on its own amendments, with or without amendment or• Disagree to the Council amendments and insist on its own amendments which the Council has amended or• Order the bill to be laid aside. <p>On any further return of the bill from the Council with any of the requests of the Assembly still disagreed to, the Assembly may order the bill to be laid aside.</p>
234. Council amendments to Assembly amendments	<p>If the amendments made by the Council on the Assembly's amendments to a Council bill are:</p> <ol style="list-style-type: none">(1) Agreed to without further amendment, or disagreed to, and the original amendments made by the Assembly insisted on, a message shall be sent to the Council.(2) Agreed to with further amendments, a message shall be sent desiring the concurrence of the Council.
235. Message to contain written reasons for disagreeing to proposed Council amendments of Assembly amendments	<p>When any of the amendments made by the Council on the Assembly's amendments to a Council bill are disagreed to, the message shall contain written reasons and the reasons shall be drawn up by the Member in charge of the bill.</p>
236. Further Assembly amendments	<p>When further amendments have been made by the Assembly on the Council's amendments on the Assembly's original amendments in a Council bill:</p> <ol style="list-style-type: none">(1) A schedule of such further amendments shall be prepared, containing reference to each amendment of the Council which has been amended by the Assembly and describing the further amendment proposed and(2) The schedule shall accompany the message and be certified by the Clerk.

Lapsed bills

237. Bills lapsed due to prorogation	<p>A bill which has lapsed because of a prorogation before it has been passed may be proceeded with in a later session from the point of interruption in a previous session of the same Parliament, as follows:</p>
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- (1) An Assembly bill in the possession of the Assembly, including consideration of Council amendments, may be proceeded with by motion on notice by the Member in charge of the bill restoring it to the Business Paper.
- (2) A Council bill in the possession of the Assembly, may be proceeded with by motion on notice by the Member in charge of the bill restoring it to the Business Paper after receipt of a message from the Council requesting the same.
- (3) If an Assembly bill is in possession of the Council, a message may be sent to the Council requesting that the bill be restored to the Council's business paper.
- (4) Any bill restored to the Business Paper shall be proceeded with as if its passage had not been interrupted by a prorogation.
- (5) If the motion for restoration is not agreed to by the House in which the bill originated, the bill may be re-introduced as a new bill.

Proceedings after consideration in detail

238. Proceedings after consideration in detail

17 January 2022

After consideration in detail the Member in charge of the Bill may:

- (1) Request the Speaker to set down the motion "**That this bill be now read a third time**" as an order of the day for a later time; or
- (2) Move the motion "**That this bill be now read a third time**" forthwith.

Presentation for assent

239. Procedure after bills passed

Every bill originating in the Assembly which has passed both Houses, or which is to be presented to the Governor in accordance with the provisions of section 5A or section 5B of the *Constitution Act 1902*, shall be:

- (1) Printed in its final form.
- (2) Certified by the Assistant Speaker, as follows:

"I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses."

The Clerk shall also certify as follows:

- "I certify that this Public Bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales."
- (3) Where a bill is to be presented in accordance with section 5A of the *Constitution Act 1902*, the Assistant Speaker shall certify accordingly.
 - (4) Where a bill is to be presented in accordance with section 5B of the *Constitution Act 1902*, the Assistant Speaker shall certify accordingly.
 - (5) The bill shall be presented to the Governor for assent.
 - (6) After the assent message is received the Clerk shall arrange for Assembly Acts to be numbered then enrolled.

Chapter 17

Consideration in detail

Chapter outline

This chapter concerns some rules relating to the consideration in detail by the House of a bill or other matter. (See Chapter 16 for rules related to amendments to bills.)

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| 240. Motion | A motion may be moved without notice or debate that a matter other than a bill be considered in detail. |
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| 241. Greater or lesser sum, long or shorter time | A question between a greater and lesser sum or a longer or shorter time shall be decided by putting the least sum and the longest time first. |
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| 242. May speak more than once | In consideration of a matter or bill in detail Members may speak more than once to the same question. |
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Chapter 18

Financial procedures

Chapter outline

This chapter concerns:

- the necessary requirements for the passing of amendments or bills which include financial measures,
- rules for the consideration in detail of an Appropriation Bill, and
- Estimates Committees.

243. Message from Governor

The House shall not pass any vote, resolution or bill for the appropriation of any part of the Consolidated Fund, or for any other tax or impost to any purpose which has not been first recommended by message of the Governor during the session in which such vote, resolution or bill shall be passed. This provision does not apply to a bill introduced by a Minister or to a vote or resolution proposed by a Minister.

244. Message accompanying Estimates

Messages from the Governor, together with the accompanying Estimates and Statements, recommending bills for Loan or Appropriation shall be considered in detail and the Estimates shall be deemed to form part of the bill for the purposes of debate.

245. Consideration of Appropriation Bill in detail

The procedure for consideration in detail of a bill for Loan or Appropriation, other than Bills referred to an Estimates Committee is:

- (1) When a clause is under discussion the debate shall be confined to the estimate of expenditure relevant to that clause.
 - (2) When a motion is made to omit or reduce any vote or item of a vote, a question shall be proposed by the Speaker for omitting or reducing that vote or item and until it is disposed of Members shall only speak to that question.
 - (3) After a question for omitting or reducing any vote or item has been disposed of, no motion shall be made or debate allowed upon any preceding vote or item.
 - (4) Where it has been proposed to omit or reduce a vote or items in a vote, the question will then be put on the original vote, or upon the reduced vote, as the case may be, without amendment.
 - (5) After a question has been put for a reduction of the whole vote, no motion shall be made for omitting or reducing any part of such vote.
 - (6) When a general reduction of the amount of the vote comprising many items is proposed, the question shall be put for the reduction of such vote or item. If such a motion is negatived it shall not be in order to then propose a reduction by a greater sum.
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Estimates Committees

246. Estimates Committees

17 January 2022

- (1) On a motion of a Minister, during the second reading debate on the Appropriation Bill, the House may appoint Estimates Committees.
- (2) The Estimates Committees shall examine and report on proposed expenditures from the Consolidated Fund for each organisational unit for each Minister listed in the Tabled Estimates, and the corresponding clauses and schedules in the Appropriation Bill and the Parliamentary Appropriation Bill which shall stand referred to the appropriate committee.
- (3) The report of each Estimates Committee shall state whether the votes of each organisational unit in the Estimates and the corresponding clauses and schedules in the Appropriation Bill are recommended or otherwise. The failure of an Estimates Committee to report on any part of the votes shall be deemed to be a report recommending the proposed expenditure.
- (4) The Chair of each Committee or a Member deputed by the Chair shall, after the committee has concluded its deliberations and after the question on the second reading of the Appropriation Bill and the Parliamentary Appropriation Bill has been agreed to, present the Committee's report to the Speaker in the House. The Speaker shall set down consideration of the reports in detail with the Appropriation Bill and the Parliamentary Appropriation Bill respectively as an Order of the Day.
- (5) Consideration of a report in detail shall be deemed to be consideration of those clauses and schedules of the Appropriation Bill and the Parliamentary Appropriation Bill referred to that Estimates Committee.
- (6) When considering a report in detail:
 - (a) The Speaker shall put the question in respect of each Committee report, "That the report of the (name of the Committee) be adopted".
 - (b) A Member may speak for a maximum of 5 minutes and the Minister in reply may speak for a maximum of 15 minutes on each of the questions.
 - (c) Those clauses and schedules of the Appropriation Bill and the Parliamentary Appropriation Bill not referred to an Estimates Committee shall be considered as one question, "That the remaining clauses and schedules of the Bill be agreed to".

Chapter 19

Messages from the Governor

Chapter outline

This chapter concerns the reporting of and acting upon messages from the Governor.

247. Speaker to report

The Speaker may report messages from the Governor at any time.

248. Action on report

A message from the Governor shall be reported and the House shall:

- (1) Take no action; or
 - (2) Consider it forthwith; or
 - (3) Set down without debate, its consideration as an Order of the Day for a later time.
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Chapter 20

Disorder

Chapter outline

This chapter concerns the procedures for dealing with disorder, and the suspension and expulsion of Members.

Member called to order

249. Member repeatedly called to order

3 July 2009

- (1) If a Member's conduct is such that it is necessary for the Speaker to call the Member to order more than three times in any one sitting for any gross breach of the rules, the Speaker may direct the removal of the Member by the Serjeant-at-Arms until the adjournment of that sitting.
- (2) A Member who is removed from the House shall be excluded from the Parliamentary precincts for the remainder of the sitting and cannot take part in any proceeding of the House or its committees.

249A. Member removed from the Chamber

17 January 2022

The Speaker may direct a Member who is grossly disorderly to leave the Chamber for up to three hours. The direction shall not be open to debate or dissent.

Member named

250. Member named for disorderly conduct

A Member may be named by the Speaker for:

- (1) Persistently and wilfully obstructing the business of the House.
- (2) Being guilty of disorderly conduct.
- (3) Using offensive words, and refusing to withdraw them.
- (4) Persistently and wilfully refusing to conform to any Standing Order.
- (5) Persistently and wilfully disregarding the authority of the Chair.

251. Procedure after naming

3 July 2009

If the Member has been named:

- (1) The Speaker shall forthwith propose the question "**That the Member for ... be suspended from the service of the House**".
- (2) There shall be no amendment, adjournment or debate allowed on this motion. However, the Member named may make an explanation limited to 5 minutes.

252. Duration of suspension	<p>If a Member is suspended during the session:</p> <ol style="list-style-type: none">(1) For a first time, the suspension shall be for 2 sitting days.(2) For a second time, the suspension shall be for 4 sitting days.(3) On any subsequent occasion, the suspension shall be for 8 sitting days. <p>In this Standing Order “sitting days” means days the House actually sits, and the uncompleted portion of the sitting during which the Member was suspended shall count as one sitting day.</p>
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253. Consequences of suspension	<p>A Member who is suspended from the service of the House shall be excluded from the Parliamentary precincts until the expiration of the suspension period including all intervening non-sitting days and cannot take part in any proceedings of the House or its committees.</p>
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3 July 2009

Expulsion

254. Expulsion	<p>A Member adjudged by the House guilty of conduct unworthy of a Member of Parliament may be expelled by vote of the House, and the Member’s seat declared vacant.</p>
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255. Criminal trial pending	<p>If the House decides not to proceed on a matter which has been initiated in the House concerning the alleged misconduct of a Member on the grounds that the Member may be prejudiced in a criminal trial then pending on charges founded on the misconduct, the House may suspend the Member from its service until the verdict of the jury has been returned or until it is further ordered.</p>
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Chapter 21

Visitors

Chapter outline

This chapter concerns the rules and requirements relating to visitors, including members of the public, observing proceedings in the Chamber.

256. Admission behind Chair	Only the Speaker may admit visitors to the area behind the Speaker's Chair.
257. Admission to galleries	The Speaker may delegate authority to the Serjeant-at-Arms to admit visitors to the public galleries and every Member shall have the privilege of admitting, by order, two visitors to those galleries.
258. Notice of visitors taken	If at any sitting a Member takes notice that visitors are present the Speaker shall forthwith put the question " That visitors be ordered to withdraw ", no debate or amendment allowed.
259. Chair may order withdrawal	The Speaker may at any time order the withdrawal of visitors from any part of the House. The Parliamentary Reporting Staff shall not be deemed to be visitors unless the Speaker directs.
260. Removal of visitors	A person, not being a Member, who interrupts the orderly conduct of the business of the House, obstructs the approaches to the House, or causes a disturbance within the precincts of the House, may, by direction of the Speaker, be removed by the Serjeant-at-Arms.
261. Only admitted to public areas	A Member shall not bring a visitor into any part of the building exclusively set aside for the use of Members.
262. Not admitted to in camera proceedings	Visitors shall not be admitted to any in camera proceedings.
263. Media	Representatives of media organisations may be admitted to the Galleries, including the Press Gallery, by the Speaker and such representatives shall comply with any conditions or directions determined by the Speaker.

Chapter 22

Papers and documents

Chapter outline

This chapter concerns the procedures for the tabling, printing and publication of documents, and the procedure for the House to order the production of papers.

264. Tabled papers

Papers may be laid upon the Table by:

- (1) The Speaker.
- (2) Ministers.
- (3) Chairs of committees.
- (4) The Clerk.
- (5) Statutory provision.
- (6) Resolution of the House.
- (7) Command of the Governor.

265. Speaker tables papers

The Speaker may table papers and direct that they be printed.

266. Tabling and printing of papers

20 February 2023

The following procedure shall apply for the tabling and printing of papers:

- (1) Wherever practicable, Ministers should table papers to the Table Office electronically and announce the tabled papers at the time provided in the Routine of Business or at other times by leave of the House.
 - (2) Papers also can be tabled in hard copy in the House at the time provided in the Routine of Business or at other times by leave of the House.
 - (3) Papers that are to be deemed as tabled, by way of a Minister's announcement in the House, must have been provided in electronic copy, under the Minister's written authority, to the Table Office by 12.00 noon on the day of tabling, or at least two hours before.
 - (4) Papers received in accordance with paragraph (3) are authorised for publication, including to the Parliament's website.
 - (5) The Leader of the House, on a subsequent sitting day, may give a notice of motion regarding the printing of papers tabled but not yet ordered to be printed. Consideration of this motion shall be Business with Precedence.
 - (6) Alternatively such motion may be moved without notice at any time.
 - (7) The question on the motion is open to amendment and debate.
 - (8) Any Member may speak on the motion for up to 3 minutes, including the Minister in reply.
 - (9) The Speaker may call on the Minister to reply if the debate exceeds 30 minutes.
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266A. Tabling of reports and documents when the House is not sitting	(1) Where, under any Act, a report or other document is required to be tabled in the House by a Minister, and the House is not sitting, such report or document may be lodged with the Clerk. (2) Any report or document lodged with the Clerk is: (a) On presentation, and for all purposes, deemed to have been laid before the House, (b) To be printed by authority of the Clerk, (c) For all purposes, deemed to be a document published by order or under the authority of the House; and (d) To be recorded in the Votes and Proceedings of the House.
20 February 2023	
266B. Printing and publication of papers and documents	Unless otherwise ordered, any reference to printing in the Standing and Sessional Orders is taken to mean publication, including by electronic means.
20 February 2023	
267. Restricted inspection	A Minister presenting a paper may move forthwith, “That inspection of the paper be restricted to Members only and that no copies or extracts thereof be permitted” . Such question shall be put forthwith and decided without amendment or debate.
268. Address for papers	An address to the Governor must be agreed to for the following papers to be tabled: (1) Papers concerning the Royal Prerogative. (2) Despatches or other correspondence addressed to the Governor. (3) Information emanating from the Governor. (4) Documents having reference to the administration of justice.
269. Papers ordered	The House may order Ministers to table papers. The order shall be communicated in writing to the Premier by the Clerk. The House may, by resolution, authorise the Speaker to make arrangements for the return of such papers.
270. Distribution	Each Member, upon request, shall be entitled to receive one copy of each paper tabled and ordered to be printed.
271. Incorporation of material into Hansard	The incorporation of material into Hansard shall be by leave of the Speaker.

Chapter 23

Committees

Chapter outline

This chapter concerns the operation of committees administered by the Legislative Assembly. It includes:

- procedures for the election of the Chair and Deputy Chair,
- quorum and committee membership rules,
- procedures for voting on a question, including the casting vote,
- procedures for conducting committee meetings and taking evidence, and
- procedures for the consideration, adoption, and tabling of committee reports.

General provisions

272.	The following rules shall apply for the appointment and conduct of all committees, unless otherwise ordered or provided by statute.
273. Number of members	A committee shall consist of between five and ten members.
273A. Substitute committee members	(1) Where a member of a Portfolio Standing Committee finds they are unable to continue to sit on the Committee temporarily they may stand down for a period of time, or for a particular inquiry, and a member may be appointed by the House as their substitute for the period concerned.
17 January 2022	(2) If the House is not sitting, the member unable to attend a meeting of the Committee may, in writing to the Chair of the Committee, nominate a member to act as a substitute member at that meeting. (3) If the member is incapacitated or unavailable, a letter to the Chair of the Committee nominating a member to act as a substitute member of the Committee may be signed on behalf of the member by the office holders responsible for nominating members to the Committee. (4) The substitute member has all the rights of a Committee member, including to participate in all Committee proceedings and to vote on any question before the Committee.
274. Appointment or discharge of committee members	Motions appointing and discharging Members from committees may be moved without notice when there is no question before the Chair.
3 July 2009	
275. Speaker, Deputy Speaker and Assistant Speaker exempt	The Speaker, Deputy Speaker and Assistant Speaker shall not be chosen to serve on committees except with their consent.

276. Personal or pecuniary interest	A Member shall not participate as a committee member in a matter under inquiry by a committee if personally interested or if the Member has a direct pecuniary interest in the matter under inquiry not held in common with other citizens of the State.
3 July 2009	
277. Notice of appointment	The notice of motion for the appointment of every committee may contain the names of the Members the mover intends to serve on the committee.
278. Ballot	Any Member may call for a ballot for the selection of committee members.
279. First meeting	The date and time of the first meeting shall be set by the mover if a member of the committee, otherwise the Clerk shall call the meeting.
280. Quorum	A quorum for committees is three members.
281. Quorum not present at first meeting	If a quorum is not present within 15 minutes of the time set for a meeting, the meeting shall lapse and the Chair, if appointed, or the Clerk shall issue notices for the next meeting.
282. Election of Chair and Deputy Chair	(1) At the first meeting of a committee, or if a vacancy occurs, a Chair and Deputy Chair shall be elected. (2) The Speaker, upon being advised, shall report the appointments of a committee Chair and a Deputy Chair to the House.
17 January 2022	
283. Voting	(1) A question arising at a meeting of a committee shall be determined by a majority of the votes of the members present and voting. (2) The Chair shall exercise a deliberative vote and, in the event of an equality of vote, shall exercise a casting vote, except upon a private bill.
3 July 2009	
284. Absence of Chair	In the absence of the Chair, the Deputy Chair shall act as Chair. If the Chair and Deputy Chair are both absent, committee members present from day to day may elect an acting chair.
285. Minutes	The minutes of committee meeting shall record: (1) Members present and apologies received. (2) Every motion and amendment moved and the name of the mover. (3) Every proceeding and decision not the subject of a resolution. (4) The names of members voting in a division and whether for or against the motion.

286. Quorum not present during meeting	If during a sitting of a committee, attention is drawn to the absence of a quorum the Chair shall suspend the sitting until a quorum is formed or adjourn the committee to a later time.
287. Times of sitting	A committee may adjourn from time to time and from place to place and may sit during any sittings or adjournment of the House.
288. Persons, papers, records and exhibits	A committee shall have power to send for persons, papers, records, exhibits and things.
289. Witnesses	Summonses to be issued to witnesses shall be signed by the Chair of the committee or by the Deputy Chair in the absence of the Chair.
290. Counsel	<i>Repealed.</i>
3 July 2009	
291. Examination of witnesses	Witnesses shall be examined on oath or affirmation as follows: (1) The Chair may first question the witness uninterrupted upon the subject matter of the inquiry. (2) Other members may then ask questions.
292. Recording of evidence	The questions and the evidence of witnesses shall be reported by Hansard unless otherwise ordered by the committee.
293. Correction of evidence	Witnesses may correct their evidence. Corrections shall be confined to verbal inaccuracies. Evidence can only be altered in substance by re-examination.
294. Admission to hearings	At a hearing any person may be admitted but may be excluded at the discretion of the Chair or at the request of any committee member.
295. Meetings	(1) At a deliberative meeting only committee members and committee officers shall be present unless the attendance of other persons has been authorised by the committee. (2) A committee is authorised to conduct proceedings by electronic communication without Members of the committee or witnesses being present in one place, provided that: (a) When a committee deliberates, members of the committee constituting a quorum are able to speak to and hear each other contemporaneously. (b) When a witness gives oral evidence, members of the committee constituting a quorum are able to hear the witness contemporaneously and to put questions to the witness in each other's hearing.
3 July 2009	

296. In camera evidence	All persons other than committee officers shall be excluded when the committee is meeting in camera.
297. No disclosure unless authorised	A member or any other person shall not disclose evidence, submissions or other documents and information presented to the committee which have not been reported to the House unless such disclosure is first authorised by the House or the committee.
298. Serious allegations to be reported immediately	Serious allegations made before any committee about a Member of the House shall be reported to the House at once without further investigation and may only be considered by a substantive motion in the House.
299. Referrals and tabling of reports	(1) At the time provided in the Routine of Business, the Chair of a committee shall advise the House of any inquiries that have been referred to the committee by a Minister or that the committee has resolved to conduct at the time provided in the Routine of Business.
3 July 2009	(2) A committee may report upon its deliberations and present its minutes, evidence and other documents from time to time.
300. Draft report	The Chair shall prepare the draft report for consideration by the committee and may circulate it on a confidential basis to committee members only.
301. Consideration of draft report	<p>The draft report shall be considered as follows:</p> <p>(1) Unless previously circulated, the Chair shall read the report.</p> <p>(2) The committee may order it to be circulated and a subsequent day named for its consideration.</p> <p>(3) Unless the committee otherwise resolves, the report shall be considered paragraph by paragraph – the question being “That the paragraph be agreed to”.</p> <p>(4) A member may move an amendment to the paragraph at the time it is under consideration.</p> <p>(5) After the draft report has been considered, the whole or any paragraph may be reconsidered and amended.</p> <p>(6) After consideration, the committee may adopt the report with or without amendment.</p>
302. Chair to sign report	The report shall be signed by the Chair or another Member appointed by the committee in the event of the Chair’s unavailability or refusal.
3 July 2009	
303. Report tabled	The report together with the minutes, evidence and other documents shall be tabled by the Chair or another Member signing the report or other member of the committee on that Member’s behalf.

<p>303A. Government responses to committee reports</p>	<p>(1) On the tabling of a report from a committee, which recommends that action be taken by the Government, the Clerk is to refer the report to the relevant Minister(s), who must within six months of a report being tabled, report to the House what action, if any, the Government proposes to take in relation to each recommendation of the committee.</p> <p>(2) If at the time at which the Minister seeks to report to the House, the House is not sitting, a Minister may present the response to the Clerk.</p> <p>(3) A response presented to the Clerk is:</p> <p>(a) On presentation, and for all purposes, deemed to have been tabled and printed, and may be circulated.</p> <p>(b) Reported to the House at its next sitting.</p>
<p>3 July 2009</p>	
<p>304. Order to print</p>	<p>The report may, without debate, be ordered to be printed.</p>
<p>305. Tabling with the Clerk</p>	<p>Should the House be adjourned and a committee agree to any report before the House resumes sitting:</p> <p>(1) The committee may send any such report, minutes and evidence taken before it to the Clerk;</p> <p>(2) Upon receipt the documents shall be deemed to be published, and the report shall be printed and may be circulated; and</p> <p>(3) The documents shall be reported in the House at its next sitting.</p>
<p>306. Committee reports, tabling in the House and debate</p>	<p>(1) The report and associated documents of any committee (not being a legislation committee or the Standing Orders and Procedure Committee) shall be presented at the time provided in the Routine of Business, or at any other time with the leave of the House.</p> <p>(2) The Member presenting the report may move “That the document be printed”. This question shall be decided without debate or amendment.</p> <p>(3) Reports from committees (not being reports of the Standing Orders and Procedure Committee) shall stand in the order in which they are presented (or reported by the Clerk when received during an adjournment) as Orders of the Day “That the House take note of the Report”.</p> <p>(4) Such Orders of the Day may be considered at the time allocated in the Routine of Business on Wednesday for a period of up to 30 minutes. Any interrupted item of business shall stand as an Order of the Day for tomorrow.</p> <p>(5) Debate on an Order of the Day may be adjourned and the resumption of the debate set down as an Order of the Day for tomorrow.</p> <p>(6) When the Order of the Day is called on and not proceeded with, consideration of the report shall be postponed until the next Wednesday sitting when reports are considered. If the Order of the Day is called on at that subsequent sitting and is not proceeded with, the question shall be put.</p> <p>(7) If a committee has more than one report on the Business Paper, the Chair or Member who tabled the report may move a motion without notice, amendment or debate to facilitate the consideration of two or more of the committee’s reports together.</p> <p>(8) The Member tabling the report may speak for up to 6 minutes and any other Member may speak for up to 4 minutes to the question “That the House take note of the Report” with the question being put after 22 minutes. No reply is permitted.</p>
<p>17 January 2022</p>	

307. Action on report	If any measure or proceeding be necessary upon a committee report it shall be considered by the House by motion on notice.
308. Payment of witnesses	A witness, at the discretion of the committee and recorded in the minutes, may be paid for attendance at the rate of a witness before the Supreme Court. The Chair shall certify such payment.
309. Committee lists	Lists of all committees shall be fixed on notice boards.
310. Similar committees	A committee shall have the power to consider and make use of evidence and records of similar committees appointed during a previous session of the current Parliament or the previous Parliament.

Communications between committees

311. Conference with Council committee	No committee of the House may confer with a committee of the Council without leave of the House.
312. Conference desired by message	When any such order has been made it shall be communicated by message to the Council with a request that leave may be given to the committee of the Council to confer with the committee of the House.
313. Committees communicate by word of mouth	Every committee of the House directed to confer with any committee of the Council may confer freely by word of mouth, unless the House otherwise orders.
314. Committee of House to report proceedings at a conference	The proceedings of every conference between a committee of the House and a committee of the Council shall be reported in writing to the House by its own committee.

Standing committees

315. Appointment	The House may from time to time appoint standing committees on notice of motion to meet and report on specified subjects during the term of the Parliament in which they are appointed.
316. Rules	The general provisions for committees shall apply to standing committees.

Chapter 23 Committees

317. **Standing committees** The Standing Orders and Procedure Committee, the Library Committee and the House Committee shall be standing committees.

318. **Speaker ex-officio member** The Speaker shall be ex-officio a member of the Standing Orders and Procedure Committee, the Library Committee and the House Committee.

Joint committees

319. Names stated	If the House proposes a joint committee, the message shall state the names of the Members to be appointed.
320. First meeting	The House originating the message for the appointment of a joint committee shall not nominate the time and place for the first meeting.
321. Quorum	At least three Members of the House must be present at every meeting of a joint committee.
322. Report	The House shall receive a report of any joint committee proceedings from one of its Members on that committee.

Legislation committees

323. Legislation committees

17 January 2022

- (1) Immediately after a motion for a bill to be read a second time has been agreed to, any Member may move without notice **“That the (name of the bill) be referred to a legislation committee for consideration and report”**.
- (2) A legislation committee shall consider and report to the House on amendments to the clauses and schedules of the bill which it considers could be proposed for consideration in detail, together with a schedule of amendments which should be proposed.
- (3) A committee shall have a maximum of six Members – three shall be Members representing the Government and three shall be non-Government Members.
- (4) The Chair and Deputy Chair shall be elected by the committee and shall be Government Members.
- (5) A quorum shall be four Members.
- (6) The Chair shall exercise a deliberative vote, and in the event of an equality of votes, a casting vote.
- (7) A committee may meet during the sittings or any adjournment of the House and shall have power to take evidence and call for persons, papers, exhibits and things and to report from time to time.
- (8) In all other respects a committee shall be conducted in accordance with the general provisions relating to committees.
- (9) A committee shall not travel.
- (10) The Minister having portfolio responsibility for the bill shall provide the committee with such drafting and support services as requested by the committee.
- (11) A committee shall table its final report no later than 6 months from the date of the committee's establishment.
- (12) When the Chair tables the final report of a committee the Speaker shall set down its consideration in detail as an Order of the Day with the bill.
- (13) If the House is not sitting at the time of report the Chair shall forward such report to the Clerk for report at the next sitting of the House.

Chapter 24

Witnesses

Chapter outline

This chapter concerns procedures for witnesses appearing before the House, and for Members participating in committee inquiries.

324. Summons	The Clerk shall summons witnesses, not being Members, to attend before the House.
325. Attendance of Member directed	The House may direct the attendance of one of its Members for examination and the Speaker shall issue such order.
326. Attendance requested	The Chair of a committee may request in writing a Member or officer of the House to attend a hearing as a witness. If the Member or officer refuses, the committee shall take no action other than to report the refusal to the House. An officer means a member of staff employed solely by the Speaker.
327. Request for Council attendance	If the House or a committee, upon request wishes to examine a Member or officer of the Council, a message shall be sent requesting the Council to grant leave.
328. Council request for Assembly attendance	If the Council or one of its committees wishes to examine a Member or officer of the Assembly, the House may authorise the Member to attend if the Member agrees. The House may order an officer to attend.
329. Introduced by Serjeant-at-Arms	A witness before the House shall be introduced by the Serjeant-at-Arms and be examined at the Bar.
330. Member examined in place	A Member shall be examined in the Member's place.

331. Speaker puts questions	A witness appearing before the House shall be examined by Members putting questions through the Speaker.
332. Members may question	A witness appearing when the House is considering a matter in detail may be questioned directly by Members.
333. Objection to question	If any question is objected to by a witness or a Member, the witness shall withdraw while the House considers the matter.
334. Officers not to give evidence without leave	An officer of the House or a member of the reporting staff may not give evidence elsewhere in respect of any proceedings of the House or a Committee except with the leave of the House.

Chapter 25

Messages between the House and the Legislative Council

Chapter outline

This chapter concerns communication between the Legislative Assembly and the Legislative Council by message.

335. Communication by message	The House may communicate with the Council by message.
336. Message conveying resolution	A Member may move at any time without notice that a resolution of the House be communicated by message to the Council. The question shall be decided without debate or amendment.
337. Speaker to sign	Messages from the Assembly shall be signed by the Speaker and delivered by the Clerk.
338. Receipt of messages	Messages from the Council shall be received by a Clerk-at-the-Table at the Bar of the House if the House is sitting. If the House is not sitting messages shall be received by the Clerk.
339. Report of messages	Messages from the Council shall be handed to the Speaker for report when other business is not before the House.
340. Consideration of messages	Messages from the Council may be considered: (1) Forthwith; or (2) At a later hour; or (3) Tomorrow; or (4) On a future day.

Chapter 26

Conferences between the House and the Legislative Council

Chapter outline

This chapter concerns the rules and procedures for the request for and conduct of free and ordinary conferences between the Legislative Assembly and the Legislative Council.

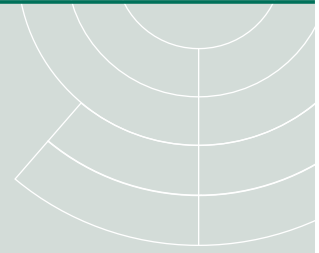
341. Communication by conference	The House may communicate with the Council by ordinary or free conference.
342. Rules of ordinary conference	At an ordinary conference: <ol style="list-style-type: none">(1) The minimum number of Assembly managers shall be five.(2) All communication between the managers shall be in writing.(3) The duty of the Assembly managers is confined to reading and delivering the reasons or resolutions to the Council managers or hearing and receiving reasons or resolutions from the Council managers.
343. Rules of free conference	At a free conference: <ol style="list-style-type: none">(1) The minimum number of Assembly managers shall be ten.(2) The managers may confer verbally and without restriction with the Council managers.
344. Motion	A motion requesting a conference shall contain: <ol style="list-style-type: none">(1) The names of the Members proposed to be the managers for the Assembly.(2) A statement of the general objects of the conference.
345. Message	The message requesting a conference shall state: <ol style="list-style-type: none">(1) The general objects of the conference.(2) The number of Members the Assembly will appoint.
346. Restriction on request for conference	<p>The House may not request a conference in respect of a subject matter in possession of the Council.</p> <p>This Standing Order does not preclude a demand being made for a free conference in any case where the Council has rejected a bill transmitted by the Assembly to the Council, or has failed within the meaning of section 5B of the <i>Constitution Act 1902</i>, to pass it, or has passed it with any amendment to which the Assembly does not agree.</p>

Chapter 26 Conferences between the House and the Legislative Council

347. Ballot	A ballot may be required if a Member declines to serve as a manager.
348. House agreeing to conference not to appoint meeting	The House requesting the conference shall not appoint the time and place for the conference and agreement or otherwise shall be communicated by message.
349. Business suspended during conference	During any conference the business of the House shall be suspended until the ringing of one long bell.
350. Report	Any report from the managers from a conference shall be reported forthwith.

Chapter 27

Balloting



Chapter outline

This chapter concerns procedures for conducting ballots.

351. Bells rung prior to ballot	Before the House proceeds to any ballot, the bells shall be rung as in a division. No other business shall be conducted during the balloting period.
352. Procedure	Unless otherwise provided, every ballot shall be conducted as follows: <ol style="list-style-type: none">(1) Each Member in the House shall give the Clerk a list indicating the names of the Member(s) of their choice not exceeding or less than the number to be elected.(2) Lists indicating more or less than the number required shall be void and rejected.(3) The Clerk shall collect the lists and report to the Speaker the names of the Member(s) with the most votes and shall keep a record of the conduct of the ballot.(4) The Speaker shall declare such Member(s) to be elected.(5) In the event of an equality of votes the Speaker shall decide the Member or Members to serve.
353. Closure of ballot	The ballot shall be closed 30 minutes after the ringing of the bells.

Chapter 28

Addresses to the Sovereign and to the Governor

Chapter outline

This chapter concerns addresses to the Sovereign and the Governor.

354. Address to Governor	All Addresses to the Governor shall be presented by the Speaker unless otherwise ordered.
355. Presentation of address	When Addresses are presented to the Governor: (1) Members of the House may be present. (2) The Address shall be read by the Speaker. (3) The mover and seconder of the Address shall stand to the left of the Speaker.
356. Address to the Sovereign	In the case of an Address to the Sovereign the Speaker shall forward it to the Governor for presentation.
357. Report of answer	The Governor's answer to any Address presented shall be reported to the House by the Speaker.

Chapter 29

Private bills

Chapter outline

This chapter concerns procedures for private bills (being bills for the interest or benefit of a particular person, group of people or organisation, as distinct from private Members' bills).

358. Procedure

17 January 2022

The procedure for the passage of a private bill on petition is as follows:

- (1) At least 3 months prior to the presentation of the petition, a notice of intention to introduce a bill containing a true statement of the general objects of the bill shall be published once a week for 4 consecutive weeks in the Government Gazette, in at least one major newspaper published in Sydney and in the district affected by the bill.
- (2) The petition, with a printed copy of the proposed bill attached and signed by one or more of the parties applying for the bill shall be presented and received by the House.
- (3) The petition must contain:
 - (a) proof of the publication of the notice in the Government Gazette and the newspapers.
 - (b) a true statement of the general objects of the bill.
 - (c) a request to introduce the bill.
- (4) When the petition has been received, notice of motion for the introduction of the bill shall be given, and such bill shall be brought in within 30 days.
- (5) The motion for the introduction of the bill cannot be objected to and the motion cannot be amended or debated.
- (6) Before being introduced and read a first time, the bill shall be printed and sufficient copies shall be delivered to the Clerk.
- (7) Before being introduced and read a first time, and from time to time thereafter, the Clerk shall be entitled to claim such expenses from the promoters of the bill as the Clerk deems reasonable.
- (8) After the first reading, the bill by motion on notice shall be referred to a select committee.

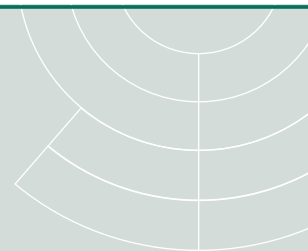
359. General provisions apply

Unless otherwise ordered the general provisions relating to committees shall apply to select committee on private bills.

360. Special rules	In the select committee:
17 January 2022	<ol style="list-style-type: none">(1) The committee shall require proof of the allegations contained in the preamble.(2) The Chair shall have a deliberative and a casting vote.(3) Every petition in reference to the bill shall be deemed to be referred to the committee.(4) After taking evidence a question shall be put from the Chair – “That the preamble be agreed to”<ol style="list-style-type: none">(a) If the question passes in the negative, the committee shall not proceed further with the bill and report accordingly.(b) If the question is resolved in the affirmative the committee shall consider the clauses of the bill and any amendments may be proposed.(5) The committee having reported in favour of the bill, it shall be proceeded with as in the case of public bills, and a later time set down for the second reading.
361. From Council	A private bill coming to the Assembly from the Council if accompanied by printed copies of the reports and proceedings of its select committee shall be proceeded with as a public bill.
362. Not numbered	Private bills shall not be numbered after assent.
363. Lapsed bill	<ol style="list-style-type: none">(1) A private bill introduced in the Assembly which has lapsed because of prorogation may be proceeded with if a petition is lodged by the promoters within 10 clear sitting days of the new session of the same Parliament.(2) If the petition is received a motion may be moved without notice that the House proceed with the same bill, with any alterations which may have been made in the previous session.(3) The bill shall proceed from the point of interruption it had reached in the previous session if the bill is in the Assembly.(4) If the bill was in the Council at prorogation, a message may be sent to the Council requesting that the bill be restored to the Council’s business paper.(5) If already examined by a select committee, it shall not be necessary for another select committee to examine the bill.(6) If the bill had been referred to but not reported upon by a select committee in the previous session it shall be referred to another committee comprising as nearly as possible the same Members.(7) The committee shall be referred all minutes, papers and petitions in possession of the previous committee and previous requirements shall be deemed to have been satisfied.

Chapter 30

Standing and Sessional Orders



Chapter outline

This chapter concerns the adoption of Sessional Orders and suspension of Standing and Sessional Orders.

364. Sessional Orders – adoption

The House may from time to time adopt Sessional Orders which shall have effect for the duration of the session, unless otherwise ordered.

365. Suspension of Standing Orders

20 February 2023

Standing Order amended by Sessional Order on 9 May 2023

- (1) A Member may, at any time after 10.30 a.m. and up to 1.30 p.m., without leave, move a motion to suspend Standing and Sessional Orders to deal with any matter.
 - (2) A Minister may, at any time without leave, move a motion to suspend Standing and Sessional Orders to deal with any matter.
 - (3) The mover, one other Member and the mover in reply shall be entitled to speak to the motion for up to five minutes each.
 - (4) When the mover is a Member not supporting the Government, the response shall be by a Minister and, when the mover is a Member supporting the Government the response shall be by the Leader of the Opposition or a Member deputed.
 - (5) Such motions shall not be entertained during Question Time.
 - (6) The closure shall not apply.
-

Chapter 31

Parliamentary Secretaries

Chapter outline

This chapter concerns the role of Parliamentary Secretaries and lists the circumstances where they cannot act on behalf of a Minister.

366. Parliamentary Secretaries

17 January 2022

Parliamentary Secretaries may act on behalf of Ministers and references to Ministers in the Standing and Sessional Orders shall be taken to include references to Parliamentary Secretaries except in respect of the following Standing Orders:

- 2(9) Inform the House when the Governor will give reasons for opening of Parliament
- 11(3) Inform the House when the Governor will receive the House with its new Speaker
- 26 Front bench reserved for Ministers
- 34 Days and hours of sitting
- 46 Adjournment of the House
- 90 Issue a notification for the allocation of time
- 102 Arrange government business
- 112 No confidence in a Minister
- 125 Petitions
- 126 Questions to Ministers
- 131(5) Oral Questions
- 132 Time for lodging answers to written questions
- 189 Declare a bill urgent
- 190, 243 Governor's message not required for Appropriation and taxing bills introduced by a Minister
- 246(1) Estimates committees
- 269 Order for papers
- 323(10) Legislation Committees
- 365(4) Suspension of Standing Orders (response to motion)

Chapter 32

Proceedings of the Legislative Assembly

Chapter outline

This chapter concerns the House's authorisation of the publication of Hansard and provides for the filming and broadcasting of proceedings.

367. Publication of Hansard	The House authorises the publication of the record of its debates and proceedings known as the "Parliamentary Debates (Hansard)".
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368. Filming and broadcast of proceedings	<i>Suspended.</i>
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Standing Order amended by
Sessional Order on 9 May 2023

369. Electronic transactions	All references throughout the Standing and Sessional orders to the requirement for matters to be authorised or transacted in writing, will be met through electronic transmission of documents bearing clearly displayed signatures.
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Sessional Order adopted on 9
May 2023

Code of Conduct for Members

Adopted 9 May 2023

That this House adopt, for the purposes of section 9 of the *Independent Commission Against Corruption Act 1988*, the following Code of Conduct–

PREAMBLE

Members of Parliament acknowledge their responsibility to maintain the public trust placed in them by performing their duties with honesty and integrity, respecting the law and the institution and conventions of Parliament, and using their influence to advance the common good of the people of New South Wales.

THE CODE

1 Purpose of the Code

The purpose of this Code of Conduct is to assist all Members in the discharge of their parliamentary duties and obligations to the House, their electorates and the people of NSW.

The Code applies to Members in all aspects of their public life.

In complying with this Code, Members shall base their conduct on a consideration of the public interest, avoiding conflict between personal interest and their duties as a Member of Parliament. It does not apply to Members in their purely private and personal lives.

Members will not act dishonestly for their own personal gain, or that of another person.

It is recognised that some Members are non-aligned and others belong to political parties. Organised political parties are a fundamental part of the democratic process. Participation in the activities of organised political parties is within the legitimate activities of Members of Parliament.

PROPER EXERCISE OF POWER

2 Improper influence

- a) No member shall act as a paid advocate in any proceeding of the House or its committees.
- b) A Member must not knowingly and improperly promote any matter, vote on any bill or resolution or ask any question in the Parliament or its Committees in return for any remuneration, fee, payment, reward or benefit in kind, of a private nature, which any of the following persons has received, is receiving or expects to receive as a consequence:
 - (i) The Member;
 - (ii) A member of the Member's family;
 - (iii) A business associate of the Member; or
 - (iv) Any other person or entity from whom the Member expects to receive a financial benefit.
- c) A Member must not knowingly and improperly use his or her influence as a Member to seek to affect a decision by a public official including a Minister, public sector employee, statutory officer or officer of a public body, to further, directly or indirectly, the private interests of the Member, a member of the Member's family, or a business associate of the Member.

3 Use of public resources

The use of public resources should not knowingly confer any undue private benefit on the Member or, on any other person, or entity.

Members must take reasonable steps to apply the public resources to which they are granted access according to any guidelines or rules about the use of those resources.

Commentary

There is a range of information available to Members to assist them in determining the accurate and appropriate use of resources including:

- *The Legislative Assembly Members' Guide;*
- *The Legislative Council Members' Guide;*
- *The Department of Parliamentary Services Members' Entitlements Handbook; and*
- *The Parliamentary Remuneration Tribunal's Annual Report and Determination of Additional Entitlements for Members of the Parliament of New South Wales.*

In addition it is open to any Member to seek advice on these matters from the Clerks of the House, Senior Parliamentary Officers, or the Parliamentary Ethics Adviser.

4 Use of confidential information

Information which Members receive in confidence in the course of their parliamentary duties should be used only in connection with those duties. It must never be knowingly and improperly used for the private benefit of themselves or any other person or persons.

5 Limitation on breach of Code

This code is not breached by reason of a benefit or interest that could be or was advanced or received by the persons set out in 2(b)(i)-(iv) by reason of them being a member of the public or a member of a broad class.

OPENNESS AND ACCOUNTABILITY

6 Disclosure of interests

Members shall fulfil conscientiously the requirements of the House in respect of the Register of Disclosures by Members.

Commentary

The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) requires that Members lodge regular returns, disclosing certain interests such as real property, interests and positions in corporations, income, debts and gifts.

The Regulation also requires that each Clerk compile and maintain a Register of Disclosures for their respective Houses. The purpose of the Register of Disclosures is to promote greater transparency, openness, and accountability in the parliamentary process.

Members' attention is drawn to the following sources of information and advice on compliance with the requirements of the Regulation:

- *Schedule 1 of the Regulation outlines the requirements for each type of interest to be disclosed, and gives examples as to how to make entries on the return;*
- *The respective guides for Members of the Legislative Assembly and the Legislative Council explain the requirements of the pecuniary interest disclosure regime in plain language, with examples where possible; and*
- *It is also open to any Member to seek advice on these matters from the Clerks of the House or the Parliamentary Ethics Adviser.*

In conjunction with the Regulation and this code, the following Standing Orders apply in relation to personal or pecuniary interests:

- *Legislative Assembly Standing Orders 176-7 and Legislative Council Standing Order 113(2) on voting in divisions; and*
- *Legislative Assembly Standing Order 276 and Legislative Council Standing Order 210(10) on participating in committee inquiries.*

7 Conflicts of interest

Members must take reasonable steps to avoid, resolve or disclose any conflict between their private interests and the public interest. The public interest is always to be favoured over any private interest of the Member.

Members shall take reasonable steps to draw attention to any conflicts between their private interests and the public interest in any proceeding of the House or its Committees, and in any communications with Ministers, Members, public officials or public office holders.

A conflict of interest does not exist where the Member is only affected as a member of the public or a member of a broad class.

Commentary

Members should be aware of the important distinction between disclosing an interest and having a conflict of interest.

There are certain pecuniary interests that must be disclosed on the Register of Disclosures although these may never come into conflict with a Members' duties. There are also interests that are not required to be disclosed on the Register of Disclosures but which could give rise to a conflict of interest if they are not managed appropriately.

It is open to any Member to seek advice on these matters from the Clerks of the House or the Parliamentary Ethics Adviser.

8

Gifts

- a) Members must take reasonable steps to disclose all gifts and benefits received in connection with their official duties, in accordance with the requirements for the disclosure of pecuniary interests.
- b) Members must not knowingly accept gifts that could reasonably be expected to give rise to a conflict of interest or could reasonably be perceived as an attempt to improperly influence the Member in the exercise of his or her duties.
- c) Nothing in this Code precludes the giving or accepting of political donations in accordance with the *Electoral Funding Act 2018*.

Commentary

The Constitution (Disclosures by Members) Regulation 1983 (the Regulation) requires that Members lodge regular returns, disclosing certain interests such as real property, interests and positions in corporations, income, debts and gifts.

The Regulation also requires that each Clerk compile and maintain a Register of Disclosures for their respective Houses. The purpose of the Register of Disclosures is to promote greater transparency, openness, and accountability in the parliamentary process.

Members' attention is drawn to the following sources of information and advice on compliance with the requirements of the Regulation:

- *Schedule 1 of the Regulation outlines the requirements for each type of interest to be disclosed, and gives examples as to how to make entries on the return;*
- *The respective guides for Members of the Legislative Assembly and the Legislative Council explain the requirements of the pecuniary interest disclosure regime in plain language, with examples where possible; and*
- *It is also open to any Member to seek advice on these matters from the Clerks of the House or the Parliamentary Ethics Adviser.*

UPHOLDING THE CODE

9

Upholding the Code

Members have a duty to cooperate fully with any processes established under the authority of the House concerning compliance with this Code.

Breaches of this Code may result in action being taken by the House in relation to a Member. A substantial breach of the Code may constitute corrupt conduct for the purposes of the *Independent Commission Against Corruption Act 1988*.

This resolution has continuing effect unless and until amended or rescinded by resolution of the House.

Citizen's Right of Reply

Adopted 9 May 2023

That, during the current Parliament, unless otherwise ordered, the following Citizens' Right of Reply be adopted:

- (1) That where a submission is made in writing by a person who has been referred to in the Legislative Assembly by name, or in such a way as to be readily identified:
 - (a) claiming that the person or corporation has been adversely affected in reputation or in respect of dealings or associations with others, or injured in occupation, trade, office or financial credit, or that the person's privacy has been unreasonably invaded, by reason of that reference to the person or corporation; and
 - (b) requesting that the person be able to have consideration given to an appropriate response being published by the Legislative Assembly or incorporated into Hansard,

and the Speaker is satisfied:

- (c) that the subject of the submission is not so obviously trivial or the submission so frivolous, vexatious or offensive in character as to make it inappropriate that it be considered by the Standing Orders and Procedure Committee;
 - (d) the submission was received within 6 months after the relevant comments were made in the House unless the applicant can show exceptional circumstances to explain the delay; and
 - (e) that it is practicable for the Committee to consider the submission under this resolution, the Speaker shall refer the submission to that Committee.
- (2) That the Committee may decide not to consider a submission referred to it under this resolution if the Committee considers that the subject of the submission is not sufficiently serious or the submission is frivolous, vexatious or offensive in character, and such a decision shall be reported to the Legislative Assembly.
 - (3) That if the Committee decides to consider a submission under this resolution, the Committee may confer with the person who made the submission and any Member who referred in the Legislative Assembly to that person or corporation.
 - (4) That in considering a submission under this resolution, the Committee shall meet in private session.
 - (5) That the Committee shall not publish a submission referred to it under this resolution of its proceedings in relation to such a submission, but may present minutes of its proceedings and all or part of such submission to the Legislative Assembly.
 - (6) In considering a submission under this resolution and reporting to the Legislative Assembly the Committee shall not consider or judge the truth of any statements made in the Legislative Assembly or the submission.
 - (7) That in its report to the Legislative Assembly on a submission under this resolution, the Committee may make either of the following conclusions:
 - (a) that no further action be taken by the Committee or the Legislative Assembly in relation to the submission; or
 - (b) that a response by the person who made the submission, in terms specified in the report and agreed to by the person or corporation and the Committee, be published by the Legislative Assembly or incorporated in Hansard by the Speaker.
 - (8) That a document presented to the Legislative Assembly under paragraph (5) or (7):
 - (a) in the case of a response by a person or corporation who made a submission, shall be succinct and strictly relevant to the questions in issue and shall not contain anything offensive in character; and
 - (b) shall not contain any matter the publication of which would have the effect of:

Appendix: Resolutions of the House

- (i) unreasonably adversely affecting or injuring a person or corporation, or unreasonably invading a person's privacy, in the manner referred to in paragraph (1); or
 - (ii) unreasonably adding to or aggravating any such adverse effect, injury or invasion of privacy suffered by a person.
- (9) That a corporation making a submission under this resolution is required to make it under their common seal.
- (10) The provisions of Standing Order 306 do not apply to any report made by the Committee to the Legislative Assembly under this resolution.

Parliamentary Ethics Adviser

Adopted 17 June 2014

The Parliamentary Ethics Adviser shall have the following functions.

Advice to Members of Parliament

(1)

- (a) The Parliamentary Ethics Adviser is to advise any member of Parliament, when asked to do so by that member, on ethical issues concerning the exercise of his or her role as a member of Parliament (including the use of entitlements and potential conflicts of interest).
- (b) The Parliamentary Ethics Adviser is to be guided in giving this advice by any Code of Conduct or other guidelines adopted by the House (whether pursuant to the *Independent Commission Against Corruption Act* or otherwise).
- (c) The Parliamentary Ethics Adviser's role does not include the giving of legal advice.

Advice to Ministers on post-separation employment

(2) The Parliamentary Ethics Adviser must on request by a Minister provide written advice to the Minister as to whether or not the Adviser is of the opinion that the Minister's:

- (a) acceptance of an offer of post-separation employment or engagement which relates to the Minister's portfolio responsibilities (including portfolio responsibilities held during the previous two years of ministerial office); or
- (b) decision to proceed, after the Minister leaves office, with a proposal to provide services to third parties (including a proposal to establish a business to provide such services) which relates to the Minister's portfolio responsibilities (including portfolio responsibilities held during the previous two years of ministerial office),

would give rise to a reasonable concern that:

- (c) the Minister's conduct while in office was influenced by the prospect of the employment or engagement or the proposal to provide services; or
- (d) the Minister might make improper use of confidential information to which he or she has access while in office.

(4) If the Adviser is of the opinion that accepting the proposed employment or engagement or proceeding with the proposal to provide services might give rise to such a reasonable concern, but the concern would not arise if the employment or engagement or the provision of services were subject to certain conditions, then he or she must so advise and specify the necessary conditions.

(5) The Adviser's advice must include:

- (a) a general description of the position offered, including a description of the duties to be undertaken, or the services to be provided, based on material provided by the Minister or former Minister but excluding any information that the Minister or former Minister indicates is confidential; and
- (b) the Adviser's opinion as to whether or not the position may be accepted, or the services may be provided, either with or without conditions.

(6) Where the Adviser becomes aware that a Minister or former Minister has accepted a position, or has commenced to provide services, in respect of which the Adviser has provided advice, the Adviser must provide a copy of that advice to the Presiding Officer of the House to which the Minister belongs or to which the former Minister belonged.

Keeping of records

(7) The Parliamentary Ethics Adviser shall be required to keep records of advice given and the factual information upon which it is based.

Appendix: Resolutions of the House

- (8) Subject to clause 6, the Parliamentary Ethics Adviser shall be under a duty to maintain the confidentiality of information provided to him in exercising his function and any advice given, but the Parliamentary Ethics Adviser may make advice public if the person who requested the advice gives permission for it to be made public.
- (9) This House shall only call for the production of records of the Parliamentary Ethics Adviser if the person to which the records relate has:
- (a) in the case of advice given under clause 1(a), sought to rely on the advice of the Parliamentary Ethics Adviser; or
 - (b) given permission for the records to be produced to the House.

Annual meeting with committees

- (10) The Parliamentary Ethics Adviser is to meet annually with the Standing Committee of each House designated for the purposes of Part 7A of the *Independent Commission Against Corruption Act*.

Report to Parliament

- (11)
- (a) The Parliamentary Ethics Adviser shall be required to report to the Parliament annually on the number of ethical matters raised with him, the number of members who sought his advice, the amount of time spent in the course of his duties and the number of times advice was given.
 - (b) The Parliamentary Ethics Adviser may report to the Parliament from time to time on any problems arising from the determinations of the Parliamentary Remuneration Tribunal that have given rise to requests for ethics advice and proposals to address these problems.
- (12) That a message be sent informing the Legislative Council of the resolution.

Broadcast Resolution

Adopted 9 May 2023

That:

- 1) The House authorises the broadcast and re-broadcast of the proceedings and excerpts of proceedings of the House and its committees in accordance with this resolution.
- 2) The House authorises the sound and vision broadcast of the proceedings of the House and its committees, including the publication of audio captions, through:
 - a) the internal broadcast system within Parliament House,
 - b) the direct signal to accredited media within Parliament House,
 - c) the New South Wales Parliament website,
 - d) the New South Wales Parliament's social media channels.
- 3) The House authorises the provision of excerpts of sound and vision coverage (including any audio captions) of the proceedings of the House, including records of past proceedings, through direct access to the Parliament-on-Demand service to persons and organisations as determined by the Speaker.
- 4) Individual requests for excerpts of sound and vision coverage (including any audio captions) of the proceedings of the House by persons or organisations other than those identified in paragraph (3) (or without direct access to the Parliament-on-Demand service) require approval from the Clerk.
- 5) Individual requests for excerpts of sound and vision coverage (including any audio captions) of the proceedings of a committee through the Parliament-on-Demand service require approval from the Clerk-Assistant, Scrutiny and Engagement.
- 6) Despite anything else in this Resolution, the House does not authorise any person to republish audio captioning of the proceedings of the House or its committees.
- 7) For the purpose of this Resolution, the terms 'audio captioning' and 'audio captions' refer to the 'real time' transcription of words spoken in proceedings of the House and its committees.

Conditions for broadcast and rebroadcast of Assembly proceedings

- 8) The live broadcast or rebroadcast of Legislative Assembly proceedings is authorised on the following conditions, and any other terms and conditions, not inconsistent with this paragraph, determined by the Speaker from time to time:
 - a) Only the following broadcast material shall be used:
 - i. the sound and vision coverage provided by the Parliament that is produced for broadcast, re-broadcast and archiving,
 - ii. official broadcast material supplied by parliamentary staff,
 - iii. filming or photography on request by persons or organisations that is approved by the Speaker.
 - b) Broadcast material shall be used only for the purposes of fair and accurate reports of proceedings, and shall not be digitally manipulated nor used for:
 - i. political party advertising or election campaigns,
 - ii. commercial sponsorship or commercial advertising.
 - c) Reports of proceedings shall be such as to provide a balanced presentation of differing views.
 - d) Excerpts of proceedings which are subsequently withdrawn may be broadcast only if the withdrawal is also broadcast.

- e) The instructions of the Speaker, or his or her delegates, on the use of recorded excerpts of proceedings must be observed at all times.

Conditions for broadcast of committee proceedings

- 9) The following conditions apply to the broadcasting of committee proceedings:
 - a) The broadcasting, filming or photography of any public proceedings of a committee is subject to the authorisation of the committee in each instance.
 - b) A committee may determine conditions, not inconsistent with this resolution, for the recording and broadcasting of its proceedings, may order that any part of its proceedings not be recorded or broadcast, and may give instructions for the observance of conditions so determined and orders so made. A committee shall report to the House any wilful breach of such conditions orders or instructions.
 - c) Recording and broadcasting of proceedings of a committee shall not interfere with the conduct of those proceedings, shall not encroach into the committee's work area, or capture documents (either in hard copy or electronic form) in the possession of committee members, witnesses or committee staff.
 - d) Broadcast of committee proceedings shall be used only for the purposes of fair and accurate reports of those proceedings, and shall not be digitally manipulated nor used for:
 - i. political party advertising or election campaigns,
 - ii. commercial sponsorship or commercial advertising.
- 10) Where a committee intends to authorise the broadcasting of its proceedings, a witness who is to appear in those proceedings shall be given reasonable opportunity, before appearing in the proceedings, to object to the broadcasting on the proceedings and to state the ground of the objection. The committee shall consider any such objection, having regard to the proper protection of the witness and the public interest in proceedings, and if the committee decides to permit broadcasting of the proceedings notwithstanding the witness' objection, the witness shall be so informed before appearing in the proceedings.

Ensuring Procurement Free From Products of Modern Slavery

Adopted 25 November 2021

That commencing from the 2022-2023 financial year starting 1 July 2022:

- (1) The Department of Parliamentary Services of the Parliament of New South Wales must take reasonable steps to ensure goods and services procured by and for the Houses of Parliament are not the product of modern slavery.
- (2) The Chief Executive, Department of Parliamentary Services must, within 5 months of the end of each financial year, prepare a report (an annual report) that contains the following:
 - (a) a statement of the action taken by the Department of Parliamentary Services in relation to any issue raised by the Anti-slavery Commissioner during the year concerning the operations of the Department and identified by the Commissioner as being a significant issue, and
 - (b) a statement of steps taken to ensure goods and services procured by and for the Department during the year were not the product of modern slavery.
- (3) The annual report prepared under this resolution must be:
 - (a) presented to the Presiding Officer of each House of Parliament,
 - (b) tabled in each House of Parliament by the Presiding Officer within 14 sitting days of receipt the annual report, and
 - (c) forwarded to the Anti-slavery Commissioner.
- (4) That this resolution have continuing effect until rescinded or amended.

Independent Complaints Officer

Adopted 29 March 2022

- (1) That this House considers and adopts the revised proposal for the establishment of an Independent Complaints Officer, which was considered and agreed to by the Legislative Assembly's Standing Committee on Parliamentary Privilege and Ethics, during a meeting held earlier today.

(1) Establishment of position

That this House directs the Speaker to join with the President to make arrangements for the establishment of the position of an Independent Complaints Officer to expeditiously and confidentially deal with low level, minor misconduct matters so as to protect the institution of Parliament, all members and staff.

(2) Functions of position

The Independent Complaints Officer shall have the following functions:

- (a) Receive and investigate complaints

The Independent Complaints Officer may receive and investigate complaints confidentially in relation to alleged breaches of the members' code of conduct, not related to conduct in proceedings of the Legislative Council or Legislative Assembly or their committees, including:

- (i) misuse of allowances and entitlements;
- (ii) other less serious misconduct matters falling short of corrupt conduct; and
- (iii) minor breaches of the pecuniary interests disclosure scheme.

The Independent Complaints Officer shall also have the function of receiving and investigating complaints confidentially in relation to bullying, harassment and inappropriate behaviour by members, not related to conduct in proceedings of the Legislative Council or Legislative Assembly or their committees.

In regard to bullying and harassment, consideration of complaints will take note of members' legal obligations including under the:

- Members of Parliament Staff Act 2013;
- Anti-Discrimination Act 1977; and
- Work Health and Safety Act 2011.

Section 22(b) of the Anti-Discrimination Act 1977 makes it unlawful conduct for a member to sexually harass a workplace participant or other member in the workplace, or for a workplace participant to sexually harass a member.

- (b) Monitoring Code of Conduct for Members

The Independent Complaints Officer shall monitor the operation of the Code of Conduct for Members, the Constitution (Disclosures by Members) Regulation 1983 and the members' entitlements system, and provide advice about reform to the Legislative Assembly Committee on Parliamentary Privilege and Ethics ("Privileges Committee") as required.

- (c) Educational presentations

The Independent Complaints Officer shall assist the Privileges Committee, Parliamentary Ethics Adviser and the Clerk as requested in relation to the education of members about their obligations under the Code of Conduct for Members and the Constitution (Disclosures by Members) Regulation 1983.

(3) Term of appointment

(a) Appointment by Presiding Officers

The Presiding Officers shall appoint an Independent Complaints Officer within three months of the mid-term point of each Parliament, or whenever the position becomes vacant, for the remainder of that Parliament and until the mid-term point of the following Parliament, on such terms and conditions as may be agreed upon with the Presiding Officers, not inconsistent with this resolution. The proposed appointment must have the support of the Privileges Committee in each House. An appointment may be extended for a period of up to six months so as to ensure there is no period in which there is no person holding the position.

(b) Contract with Clerks of both Houses – Independent Complaints Officer

The appointment of the Independent Complaints Officer is to be confirmed by the Clerks of both Houses entering into a contract of employment with the appointee.

(4) Complaints investigations

(a) Protocol

The Independent Complaints Officer shall, within three months of his or her appointment, develop a protocol to be approved by the Privileges Committee and tabled in the House by the committee chair, outlining how complaints may be received, the manner and method by which complaints will be assessed and investigated, the definition of low level, minor misconduct, and arrangements for the notification of matters between the Independent Complaints Officer and the Independent Commission Against Corruption and other relevant bodies (including the most appropriate agencies in relation to bullying and harassment matters), subject to relevant legislation (including section 122 of the Independent Commission Against Corruption Act 1988).

(b) Standing

This protocol shall include definitions of standing such that:

- Only current members of the NSW Parliament, those who currently work for members of the Parliament of NSW in their capacity as members, and those who currently work for the parliamentary departments, have standing to lodge complaints. This includes current contractors or subcontractors, current volunteers, current interns and current trainees.
- An individual may make a complaint up until 21 days following termination from their employment, but not have standing after that date if not remaining within any of the aforementioned categories.¹
- Complaints must be lodged within two years of the incident alleged to have occurred, unless this is not fair or reasonable to a complainant or member.
- No complaint may be considered which is alleged to have occurred prior to the passing of this resolution.

(c) Confidentiality

Individuals with standing who are not members of Parliament and who make complaints shall be required to maintain confidentiality concerning complaints and investigations. Others involved in any complaints investigations, for example witnesses shall be required to maintain confidentiality concerning complaints and investigations.

There shall be an expectation that, except in extraordinary circumstances, members of Parliament will maintain confidentiality about complaints and investigations. However, nothing about this expectation affects parliamentary privilege and, in particular, the parliamentary privilege of freedom of speech.

(d) Protocol with the Independent Commission Against Corruption

Where the Independent Complaints Officer has concerns that a complaint may potentially involve corrupt conduct, he or she should cease the complaint investigation and invite the complainant to raise the matter with the Independent Commission Against Corruption.

The Independent Complaints Officer in determining to draw back from the investigation of a complaint may make a notification to the Independent Commission Against Corruption but should not hand over papers and records obtained under the Independent Complaints Officer system unless under legal compulsion.

¹ However, this does not affect timeframes for complainants to take action under the relevant legislation, for example, the Work Health and Safety Act 2011 and the Anti-Discrimination Act 1977.

The Independent Complaints Officer is not required to notify the Independent Commission Against Corruption when he or she begins an investigation.

(e) Investigatory report to the House

Where the Independent Complaints Officer ("the investigator") finds that there has been a misuse of an allowance or entitlement, the investigator may recommend repayment of funds misused. Where the investigator finds that a member has otherwise breached the Members Code of Conduct or engaged in bullying, harassment or inappropriate behaviour the investigator may recommend corrective action.

Subject to (f) below, the Independent Complaints Officer will make a report if the member does not accept the recommendation and, in the case of bullying, harassment and inappropriate behaviour matters, only where the complainant consents to the making of the report. This report will be presented to the Privileges Committee. The Committee will consider whether to adopt the recommendations of the Independent Complaints Officer.

(f) Minor breach

Where the Independent Complaints Officer ("the investigator") investigates a matter and finds that a member has breached the Code or Regulations or engaged in bullying, harassment or inappropriate behaviour, but in the investigator's opinion the breach is minor or inadvertent and the member has taken action to rectify the breach – including the making of appropriate financial reimbursement – the investigator shall advise the member in writing of the finding, and the complainant in writing of the finding and the action taken by the member. The investigator shall briefly report his or her findings and the rectification action taken by the member on a confidential basis to the Privileges Committee. However, if the matter relates to bullying, harassment or inappropriate behaviour, the report must only be made to the relevant Privileges Committee with the complainant's consent. No report to a House is required in this circumstance.

(g) Declines to investigate

If the Independent Complaints Officer receives a complaint but upon assessment declines to investigate the matter, or upon investigation the Independent Complaints Officer finds no evidence or insufficient evidence to substantiate a complaint of bullying, harassment or inappropriate behaviour; a breach of the Code of Conduct for Members; or a breach of the Constitution (Disclosures by Members) Regulation 1983, the Independent Complaints Officer shall advise in writing the member and the complainant of the decision. The Independent Complaints Officer shall also briefly report the decision to the relevant Privileges Committee on a confidential basis. However, if the complaint relates to bullying, harassment or inappropriate behaviour, the decision must only be reported to the Privileges Committee with the complainant's consent. No report to a House is required in this circumstance.

(h) Breaches where the member has failed or declined to take rectification action – reports and appeal rights

Where, after investigating a complaint, the Independent Complaints Officer ("the investigator") finds that a member has breached the Code of Conduct for Members or the Constitution (Disclosures by Members) Regulation 1983, or has engaged in bullying, harassment or inappropriate behaviour and the member has failed to undertake the stipulated rectification action or declined to do so pending appeal:

- the investigator shall report his or her findings and conclusions to the Privileges Committee on a confidential basis including recommendations as to the sanctions, if any, that should be imposed by the House. However, if the matter relates to bullying, harassment or inappropriate behaviour, the report to the Committee must only be made with the complainant's consent.
- the member in question shall also have the right to lodge an appeal against the investigator's findings, conclusions and recommendations with the Privileges Committee where they have been so reported to the Committee.

Further, after receiving:

- an investigatory report from the Independent Complaints Officer about a breach for which the member has failed to take the stipulated rectification action, and/or;
- an appeal from the member in question concerning the investigator's findings, conclusions and recommendations;

the Privileges Committee shall:

- form its own conclusions
- have the power to report its conclusions and recommendations – including as regards appropriate sanctions – to the House

- have the power to decide that a report to the House and/or sanctions are not warranted in a particular case e.g. where the Committee disagrees with the investigator's findings.

(i) Expert assistance

The Independent Complaints Officer shall be able to engage the services of a person or persons to assist with or perform services for the Independent Complaints Officer, and in the conduct of an investigation, within budget.

(5) Powers of the Independent Complaints Officer

The Independent Complaints Officer shall have power to request the production of relevant documents and other records from members and officers of the Parliament.

Members, their staff and parliamentary officers are required to reasonably cooperate at all stages with the Independent Complaints Officer's inquiries including giving a full, truthful and prompt account of the matters giving rise to a complaint.

The Independent Complaints Officer may report to the Privileges Committee any failure to comply with a request, and the committee will recommend whether the matter requires the determination of the matter by the House.

(6) Keeping of records

The Independent Complaints Officer shall be required to keep records of advice given and the factual information upon which it is based, complaints received and investigations. The records of the Independent Complaints Officer are to be regarded as records of the House and are not to be made public without the prior approval of the Independent Complaints Officer and resolution of the House, except for the notification of information between the Independent Complaints Officer and other relevant authorities in accordance with the protocol to be developed pursuant to clause 4(a), or where the member requests that the records be made public.

A member requesting the records be made public should table them in the House. During an extended break in sittings a member may table records with the Privileges Committee.

(7) Reports to Parliament

In addition to reports on investigations, the Independent Complaints Officer shall provide to the Chair of the Privileges Committee to table in the House quarterly reports that contain general, de-identified information about matters dealt with under the Independent Complaints Officer system including:

- the number and types of complaints received
- the number of investigations undertaken
- the number of matters found by an investigator to be unsustainable
- the number of matters involving breaches that were dealt with via the rectification procedure, and the rectification action that was taken for these matters, such as repayments
- the number of matters the Independent Complaints Officer found to involve breaches for which a member failed to undertake the required rectification action, that were reported to the Privileges Committee but not to the House
- the number of matters the Independent Complaints Officer found to involve breaches for which a member failed to undertake the required rectification action, that were reported to the Privileges Committee and to the House
- the results of matters reported to the House including the type of sanctions imposed.

(8) Annual meeting with relevant committees

The Independent Complaints Officer is to meet annually with the Privileges Committee of the House.

(9) Review of the Independent Complaints Officer System

The Privileges Committee is required to review the Independent Complaints Officer system within 12 months of the establishment of the Independent Complaints Officer position, in consultation with key stakeholders. The committee must examine how the system is operating in practice and whether any changes are needed and in particular:

- the confidentiality provisions applying in respect of complaints and investigations under the system,
- the timeliness of complaints assessments and investigations conducted under the system, and

Appendix: Resolutions of the House

- the provisions applying with respect to standing for complainants and retrospectivity under the system.

Following the initial review the committee is also required to review the Independent Complaints Officer system once every parliamentary term, in consultation with key stakeholders, to examine how it is operating in practice and whether any changes are needed.

- (2) That this resolution have continuing effect until amended or rescinded.
- (3) That a message be forwarded to the Legislative Council conveying the terms of the resolution agreed to by the House.



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ASSEMBLY

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Sitting Day Schedule (Routine of Business)

SITTING DAY SCHEDULE (ROUTINE OF BUSINESS)

TUESDAY		WEDNESDAY		THURSDAY	
		10.00 a.m.	Notices of Motion (General Business) (up to 15 minutes)	10.00 a.m.	Notices of Motions (General Business) (up to 15 minutes)
		10.15 a.m.	Government Business	10.15 a.m.	General Business Notices of Motion for Bills (up to 20 minutes)
		11.00 a.m.	Question Time and Routine of Business	10.35 a.m.	General Business Orders of the Day for Bills (up to 90 mins)
12.00 p.m.	Question Time and Routine of Business	Approx. 12.15 p.m.	Government Business	11.00 a.m.	Question Time and Routine of Business
1.15 p.m. (approx.)	Notices of Motion (General Business) (up to 15 minutes)	1.00 p.m.	Committee Reports (Take Note Debate) (up to 30 mins)	Approx. 12.15 pm	Resumption of General Business Orders of the Day for Bills
1.30 p.m. (approx)	Lunch	1.30 p.m.	Lunch	1.20 p.m. (approx)	Lunch
2.30 p.m.	Government Business (if completed, Community Recognition Statements for up to 30 minutes, followed by Private Members' Statements if required)	2.30 p.m.	Government Business (if completed, Community Recognition Statements for up to 30 minutes, followed by Private Members' Statements if required)	2.30 p.m.	General Business Notices of Motions or Orders of the Day (not being Bills)
5.00 p.m.	Public Interest Debate	5.00 p.m.	Public Interest Debate	3.40 p.m.	Government Business (if completed, Community Recognition Statements for up to 20 minutes)
Approx. 5.45 p.m.	Government Business (if required)	Approx. 5.45 p.m.	Government Business (if required)	At 4.00 p.m.	Petition Debate
	Community Recognition Statements		Community Recognition Statements		Community Recognition Statements
	Private Members' Statements		Private Members' Statements		Private Members' Statements
	Adjournment at the conclusion of Private Members' Statements		Adjournment at the conclusion of Private Members' Statements		Adjournment at the conclusion of Private Members' Statements