



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-FIFTH PARLIAMENT, FIRST SESSION

NO. 2/2013: 12 MARCH – 27 MARCH 2013

March 2013				
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This document provides a summary of significant procedures and precedents in the Legislative Assembly. It is produced at the end of each sitting period. Where applicable the relevant standing orders are noted.

BILLS

Bill withdrawn and a new bill introduced:

On 21 March 2013 the Government discharged the order of the day for the second reading of the *Crimes (Criminal Organisations Control) Amendment Bill* and withdrew the bill. The Government then suspended standing and sessional orders to permit a bill with the same short title to be introduced and to proceed through all stages. [Criminal organisation legislation has been the subject of a number of High Court challenges regarding its constitutional validity.]

Votes and Proceedings: 21/03/2013, p. 17.

Hansard: 21/03/2013, p. 19114-5.

Standing Orders 100 & 365

Parliamentary Budget Officer Amendment Bill:

On 14 March 2013, the Treasurer introduced the *Parliamentary Budget Officer Amendment Bill*. The bill amends the principal Act, which was passed in 2010, to provide that a Parliamentary Budget Officer be appointed every four years for the period from 1 September in the year prior to a State election and ending within three months following the election. [The bill makes it mandatory for the Leader of the Government and Leader of the Opposition to submit all election policies that are likely to impact on the current and relevant forward budget estimates for costing by the Parliamentary Budget Office. The bill also provides that the Parliamentary Budget Office furnish a report on its activities after each election and that the Public Accounts Committee will consider and review the report.]

Votes and Proceedings: 14/03/2013, p. 1495.

Hansard: 14/03/2013, pp. 18701-2.

Standing Order 188 (as amended by sessional order)

BUSINESS

Discussion on petitions signed by 10,000 or more persons:

On 14 March 2013, the House discussed a petition signed by 10,000 or more persons from certain citizens opposing the infrastructure application to replace the existing Hawkesbury River Bridge at Windsor.

Votes and Proceedings: 14/03/2013, p. 1496.

Hansard: 14/03/2013, pp. 18712-5.

On 21 March 2013, the House discussed a petition signed by 10,000 or more persons from certain citizens requesting continued viable funding for TAFE arts education.

Votes and Proceedings: 21/03/2013, p. 1520.

Hansard: 21/03/2013, pp. 19125-9.

On 27 March 2013, the House discussed a petition signed by 10,000 or more persons from certain citizens opposing the privatisation of the port of Port Kembla.

Votes and Proceedings: 27/03/2013, p. 1544

Hansard: 27/03/2013, pp. 19545-9

Standing Order 125A (as adopted by sessional order)

Motion to suspend standing and sessional orders during question time ruled out of order:

During Question Time, a Minister moved to suspend standing and sessional orders to provide the Premier with a further five minutes to answer the question asked. In accordance with the standing orders the Speaker ruled that the motion could not be entertained during Question Time. The Minister then sought the leave of the House to move the motion. Leave was not granted.

Votes and Proceedings: 13/03/2013, p. 1481.

Hansard: 13/03/2013, p. 18534.

Standing Order 365

Standing Order 96

(NB: The standing orders regarding Question Time provide for an answer to a question to be limited to five minutes, with a possible two minute extension being permitted if the member who asked the original question requests it. On this occasion the Premier had already been granted a two minute extension. Standing Order 365 provides that a Minister may move a suspension of standing orders at any time with the exception that no such motions shall be entertained during Question Time).

Private Member's motion reordered to have precedence:

On 13 March 2013, the House agreed to a motion to reorder a general business notice of motion standing in the name of the Member for Kiama regarding Illawarra Services and Programs to have precedence of other general business notices on Thursday 14 March. On Thursday 14 March 2013, Mr Ward, Member for Kiama, moved the motion at the time when general business notices of motions were called on in accordance with the resolution of the House.

Votes and Proceedings: 13/03/2013, p. 1482 and 14/03/2013, pp. 1487-8.

Hansard: 13/03/2013, pp.18542-4; and 14/03/2013, p. 18657.

Standing Order 106 (as amended by sessional order)

MEMBERS

Resignation of Member:

On 20 March 2013, the Speaker informed the House that she had received that day a letter from George Richard Torbay resigning from his seat as member for the electoral district of Northern Tablelands. Upon which the Leader of the House moved a motion that was agreed to by the House that in accordance with section 70 of the *Parliamentary Electorates and Elections Act 1912*, the seat be declared vacant.

Votes and Proceedings: 20/03/2013, p. 1507.

Hansard: 20/03/2013, p. 18967.

(NB: The reason a motion is moved declaring the seat vacant is that the resolution of the House is the precursor to the Speaker issuing a writ to fill the vacancy in accordance with section 70 of the *Parliamentary Electorates and Elections Act 1912*. The practice of declaring a seat vacant is particularly important in cases when a member has not resigned but the seat has become vacant for some other reason such as the death of a member or when an election of a member has been declared void by the Court of Disputed Returns.)