



PROCEDURAL DIGEST

Legislative Assembly

FIFTY-SEVENTH PARLIAMENT, FIRST SESSION
NO. 6/2020: 28 JULY 2020 – 6 AUGUST 2020

July/August 2020

M	T	W	T	F
27	28	29	30	31
3	4	5	6	7

This document provides a summary of significant procedural events and precedents in the Legislative Assembly. It is produced at the end of each sitting period. Where applicable the relevant Standing Orders are noted.

CHAMBER

On Tuesday 28 July 2020 the Speaker, with the concurrence of the House, ruled that in the current circumstances and until further notice, the Speaker's Gallery would be considered part of the Chamber for proceedings.

Votes and Proceedings: 28/7/2020, p. 711.

(Procedural note: Members seated in the Chamber have adhered to social distancing guidelines since March 2020, with at least 1.5 metres apart and having at least four square metres of space per person. The extension of the Chamber into the Speaker's Gallery increases the number of Members able to participate in the proceedings of the House by 9 to a total of 32, with the composition of Members seated in the Speaker's Gallery agreed by informal arrangement.)

BUSINESS

Question Time

On Tuesday 28 July 2020 the Leader of the House, the Hon. Mark Speakman MP, moved that Standing and Sessional Orders be suspended to provide that Question Time comprise five questions only for the next two sitting weeks. The motion was agreed to on the voices.

The Leader of the House also made a statement about the attendance of Ministers at Question Time, advising that, in the same manner as the June sitting period, not all Ministers would be in the Chamber for each Question Time due to physical distancing restrictions, and that there would be a roster of Ministers for each Question Time. By midday each sitting day the Opposition and Cross-bench would be informed of which of the twelve Ministers would be present for Question Time, and Ministers would not answer questions on behalf of other Ministers.

As with the June sitting weeks, the practice was for the Opposition to ask four of the five questions, and for the Cross-bench to ask the remaining question, with the rotation of the fifth question being arranged by agreement between Cross-bench Members.

Votes and Proceedings: 28/7/2020, p. 711.

Standing Order 131.

Speaker's ruling – offensive language

On Tuesday 28 July the Speaker, the Hon. Jonathan O'Dea, made a ruling on the use of inappropriate language by Members in the Chamber in the context of quoting others. Mr Speaker advised that where a quote needed to be given, swear words could be replaced by the words "expletive", "beep" or something of a similar nature.

Votes and Proceedings: 28/7/2020, p. 712.

Hansard (Proof): 28/7/2020, p. 10.

Standing Orders 72 and 74(1).

Amendments to sessional orders for electronic petitions

On Wednesday 29 July the Leader of the House moved amendments to the sessional orders to facilitate the receipt of both existing paper petitions and electronic petitions (ePetitions) by the Legislative Assembly. The motion was agreed to on the voices and the new sessional orders came into force on 7 August 2020.

Votes and Proceedings: 29/7/2020, pp. 723-6.

Standing Orders 119-125A.

Motions of censure of a Member on consecutive days

On Tuesday 4 August 2020 the Leader of the Opposition, Ms Jodi McKay MP, moved a motion to censure the Treasurer, the Hon Dominic Perrottet MP. The motion was negated on division. The following day the Member for Maroubra, Mr Michael Daley MP, moved a second motion to censure the Treasurer. In speaking to the motion Mr Daley noted that the wording of his motion had been amended so that it was different to the motion that was considered the day before. However, the Leader of the House, the Hon. Mark Speakman MP, argued that the Member for Maroubra's motion was the same in substance as the motion that was considered the day before.

In considering the motion of the Member for Maroubra, the Speaker noted that the motion, as originally proposed, was similar in substance to the motion moved the day before. However, given events that had occurred outside the House in the last 24 hours, and the amendment of the motion to reflect these events, the Speaker ruled that the second censure motion would be allowed to proceed. Debate ensued and the motion was negated on division.

Votes and Proceedings: 4/8/2020, pp. 737-8; 5/8/2020, p. 759 and pp. 760-2.

Standing Orders 114 and 154.

(Procedural note: Standing Order 154 provides that the Speaker may disallow any motion or amendment, including a censure motion, which is the same in substance as any question already determined in the affirmative or in the negative in the same session. The key principle is that the House has already expressed its judgement on a matter. SO 154 acts to prevent the same question being brought forward repeatedly or to prevent contradictory decisions where the House has already made its judgement. On this occasion the Speaker ruled that the second censure motion was different enough in substance to the first censure motion that it would be allowed to proceed.)

COMMITTEES

Legislative Assembly Committee on Law and Safety

On Tuesday 28 July 2020 Mrs Wendy Tuckerman MP informed the House that the Legislative Assembly Committee on Law and Safety had received a referral from the Minister for Police and Emergency Services to conduct an inquiry into assaults on police officers. Further details on the inquiry can be found on the Committee's [web page](#).

Votes and Proceedings: 28/7/2020, p. 715.

Standing Order 299.

Legislative Assembly Committee on Environment and Planning

On Wednesday 15 July 2020 the Legislative Assembly Committee on Environment and Planning tabled the report of its inquiry into the Professional Engineers Registration Bill 2019. The take note debate subsequently took place on Wednesday 29 July 2020. A full copy of the report can be found on the Committee's [web page](#).

The Professional Engineers Registration Bill 2019 was referred to the Environment and Planning Committee for inquiry on 21 November 2019 when, during the second reading debate on the bill (a private Member's bill introduced by the Deputy Leader of the Opposition, Ms Yasmin Catley MP), the Minister for Better Regulation and Innovation, the Hon. Kevin Anderson MP, moved an amendment that "the bill be referred to the Legislative Assembly Standing Committee on Environment and Planning."

The Government has six months in which to respond to the recommendations made in the report.

Votes and Proceedings: 29/7/2020, p. 722.

Standing Orders 198, 303-306.

(Procedural note: Under the Legislative Assembly's Standing Orders, there are two ways of seeking to further examine a bill after it has been introduced. Standing Order 198 allows bills to be referred to a committee, provided the second reading debate has not concluded. The committee may then examine any aspect of the bill that has been referred to it, in line with particular terms and references for inquiry into the bill.

The last time a private Member's bill was referred to a committee prior to the conclusion of the second reading was in 1994. In that instance the bill was not ultimately considered by a committee as the Parliament dissolved.)