

**43rd Presiding Officers and
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**Three unusual and dramatic recent "sitting days" in the New South Wales
Legislative Council**

and

**The impact of the introduction of time limits on debate on government
legislation in August 2011**

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David Blunt

Clerk of the Parliaments

NSW Legislative Council¹

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Introduction

This paper is in two parts. The first part briefly outlines three particularly unusual and dramatic "sitting days" in the New South Wales Legislative Council between 2008 and 2011. Following the third of these unusual "sitting days", the Government moved to introduce time limits on debate of government bills. The second part of this paper analyses the impact of the introduction of those time limits. The theme that unifies the two parts of this paper is time. The paper tells part of the story of recent developments in the NSW upper house, highlights the unusual things that can happen to time in the parliamentary environment, and assesses the effects of recent changes to the way the limited resource of parliamentary time is allocated. In addition to observations about the impact of those recent changes, attention is drawn to some earlier benchmarks for the detailed scrutiny of contentious legislation.

Part One: Three unusual and dramatic "sitting days"

A parliamentary "sitting day" is the period from the meeting of the House, after an adjournment, until it next adjourns.² A sitting commences when the Presiding Officer takes the Chair. In most Houses the time for meeting is fixed, but the time for adjournment of the House is not always fixed. Even where times are fixed for the interruption of proceedings on specific days to allow the motion for the adjournment to be moved (as in the NSW Legislative Council) there is nothing to prohibit the House from continuing to sit beyond these times. A sitting may therefore continue beyond midnight into the next calendar day (or even beyond the next calendar day, as outlined below). Continuation of a sitting into a new calendar day does not constitute a new sitting day. "A sitting day is ... a day on which the House meets to begin a sitting, rather than a day on which the House is sitting, and continues until such time as the House adjourns, whether that is on the same [calendar] day or a subsequent [calendar] day."³

Two sittings on the one day: 28 August 2008

There have been a number of occasions on which the NSW Legislative Council has held two sitting days on the one calendar day. However, few have been as dramatic as 28 August 2008.

In June 2008 the former Premier of NSW, the Hon Morris Iemma MP, introduced legislation into the Legislative Assembly providing for the sale of large parts of the state's electricity

² *Oggers' Australian Senate Practice*, edited by H Evans & R Laing, 13th edition, 2012, p 185.

³ *New South Wales Legislative Council Practice*, L Lovelock & J Evans, Federation press, 2008, p 230.

industry. Following the introduction of the bills, the media reported that a number of Government members would cross the floor to vote against passage of the bills, raising doubts as to whether they would pass the lower house. The bills were not further debated before the Assembly adjourned for the winter recess, until 23 September. However, legislation was passed requiring the Auditor-General to review and report on the proposed restructuring of the electricity industry, and it was understood that the Parliament may be recalled early to consider the legislation once the Auditor-General had reported. Immediately the Auditor-General reported (supporting the legislation) both Houses were recalled to meet on 28 August 2008.

Upon the Legislative Council meeting at 11.00 am, the Treasurer, the Hon Michael Costa, gave notice of the introduction into the Council of two new bills, the principal bill being identical to that already introduced in the Assembly by the Premier in June. The Leader of the House then made a ministerial statement concerning the reasons for the recall of the House and the procedures that would be followed in relation to the bills. This included a second "sitting day" in order to allow the bills, notice of which was given by the Treasurer, to be introduced and debated on that same calendar day, without the risk of the denial of leave of the House. Following a half hour adjournment debate the House adjourned at 11.48 am until 12.17 pm.

When the House met for the second "sitting day" at 12.17 pm, the Treasurer introduced the bills, which were declared urgent, allowing them to pass through all stages. The Treasurer indicated in his second reading speech that the bills were being introduced in the Council as "it is the vote in this place that will determine whether the electricity industry restructuring will occur. So it is desirable that this House is the first to vote on this package of bills."⁴

Following the Treasurer's second reading speech, the Leader of the Opposition advised the House in his speech that the Opposition would not support the bills. This meant that the legislation was unlikely to pass. At the conclusion of the speech of the Leader of the Opposition, the Leader of the House immediately moved that the debate be adjourned to a later hour, without any other members having the opportunity to speak. In tumultuous scenes before a packed gallery the motion was agreed to on division. The Leader of the House subsequently moved the special adjournment that the House at its rising adjourn until 23 September, which motion was also agreed to on division. The adjournment motion was then moved and agreed to, the House adjourning at 1.46 pm. Despite two "sitting days", there was no question time in the Legislative Council on 28 August 2008.

By the time the House next sat on 23 September 2008, the Hon Nathan Rees MP had replaced the Hon Morris Iemma MP as Premier, and the Treasurer, Michael Costa had resigned from the House.

⁴ *LC Hansard*, (28/6/2008), p 9648.

The night of the long bell: 24 June – 1 September 2009

On 24 June 2009 the Legislative Council commenced what was expected to be the second last sitting day before the winter recess. As the sitting proceeded past midnight into the calendar day 25 June, the then government lost a number of divisions. Having come to the view that the government did not at that time have the support of the House to continue with its legislative program, including what was regarded as a particularly important piece of legislation providing for the sale of State Lotteries, the Leader of the House proceeded to move the special adjournment of the House until the next sitting period, to commence on 1 September. As soon as the then Opposition Whip, the Hon Don Harwin, sought the call to move an amendment to the motion, the Leader of the House who was the last remaining Minister in the House, walked out of the chamber.

Standing Order 34 of the Legislative Council provides that "The House will not meet unless a Minister is present in the House." Upon the Leader of the House leaving the chamber the then President stated that, in accordance with precedent, as there was no minister or parliamentary secretary in the chamber he would now leave the chair until the ringing of a long bell.

The next morning, when the House had previously been expected to be sitting, the Leader of the Opposition theatrically led a group of Opposition members attempting to "go to work" inside the locked doors of the darkened Legislative Council chamber. The media reported on 24 June as the "night of the long bell."

In effect, the House was in suspended animation for the next 68 days, until a long bell was rung on 1 September. Upon the sitting of 24 June resuming, the Opposition Whip was given the call and proceeded to raise a number of issues of concern about standing order 34, including the difficulties facing members who were denied the right to seek to have the House recalled early because the House had never actually adjourned. The House agreed to an amendment to the motion for the House to adjourn until 15 minutes after the question on the motion for the adjournment had been agreed to. The sitting of 24 June concluded at 3.16 pm on 1 September 2009. According to resolution the President took the chair at the commencement of the 1 September sitting day at 3.31 pm.

Proceedings on the Industrial Relations Amendment (Public Sector Conditions of Employment) Bill: 2 – 4 June 2011

In May 2011 the Minister for Finance and Services introduced the Industrial Relations Amendment (Public Sector Conditions of Employment) Bill into the Legislative Council.

Debate resumed on the bill on 1 June 2011, by which time there was a deal of media and public attention on the bill, including predictions of large rallies and protests to coincide with its passage. Debate again resumed on 2 June 2011, after approximately four hours debate on procedural motions and divisions to determine the precedence of business on what would ordinarily be a private members' day. Sharp procedural tactics were also deployed by the Government in front of a very full (and somewhat hostile) gallery to ensure the continuation of the debate immediately following an inaugural speech for one of the newly elected members.

The "sitting day" that commenced at 9.30 am on Thursday 2 June continued until the evening of Saturday 4 June, with the House rising on a long bell from 3.19 am until 9.00 am and from 11.10 pm on the Friday until 9.00 am on the Saturday morning. In debating the bill, two members of the Greens gave the longest and second longest continuous speeches ever given in the Council (5 hours and 58 minutes, and 5 hours and 53 minutes respectively). Other members of the Opposition and the Greens also spoke at length during the debate, and the President was called on to make more than 100 rulings in relation to points of order regarding relevancy and accusations that members were filibustering to delay the passage of the bill.

When the House resumed on the Saturday morning, the Leader of the House moved the closure motion (sometimes referred to as the "guillotine" but more often as the "gag") under standing order 99.⁵ This was the first time the closure motion had been used in the NSW Legislative Council since 1906. Prior to this the closure motion had only ever been used on eight occasions. The closure motion was also moved a further two times during passage of the bill on Saturday 4 June, each time being agreed to on division (19:17).

Following the closure of debate and the bill being read a second time, the bill was considered in committee-of-the-whole, but with a number of highly unusual procedures applying according to an instruction to the committee. Time limits were applied to speeches, members were able to speak twice only on each amendment, amendments occurring at the same place in a bill were moved and debated in globo, and where a division was called for in relation to amendments to be put sequentially, the doors were locked until all divisions had been conducted. Despite these procedures, proceedings in committee-of-the-whole took over 5 hours, with 200 amendments moved. One amendment having been agreed to, the third reading was set down for the next sitting day, which occurred on 14 June. The bill passed the Assembly without further amendment and was assented to on 17 June 2011.

⁵ The term "gag" has been used in reference to the closure motions moved on 4 June 2011 even though it is probably more accurate to refer to the closure of debate (under standing order 99) as the "guillotine" and the moving of a motion that a particular member be no longer heard (under standing order 98) as the "gag." However, the application of these standing orders is so rare in the Legislative Council that it is understandable that there has been some confusion as to the most appropriate terminology to be used in this instance.

Part Two: The impact of the introduction time limits on debate on government legislation

Following the marathon debate on the Industrial Relations Amendment (Public Sector Conditions of Employment) Bill, on 21 June 2011 the Leader of the House gave a notice of motion to introduce, by way of a sessional order, the following time limits on debate on government legislation.

1. Where there is debate on the question for the second or third reading of a bill the following time limits will apply:
 - (a) the lead Government and lead Opposition speakers may not speak for more than 40 minutes,
 - (b) any other member and the mover in reply may not speak for more than 20 minutes, and
 - (c) a member may move that that time limit be extended by not more than 10 minutes, and such a motion shall forthwith be put without debate.
2.
 - (a) In committee of the whole members may speak more than once on the same question, provided that each contribution does not exceed 15 minutes, and
 - (b) where the speech of a member is interrupted by the provisions of (2) (a), the member speaking may seek the leave of the House to continue speaking for a period of no longer than 15 minutes.

Debate on the motion to adopt this sessional order commenced when the House resumed after the winter recess on 2 August. Understandably, the proposed introduction of time limits was controversial. During the debate a number of members expressed the view that Council members, serving in a house of review, should not be unduly limited in debating government legislation, and referred to the comments of members of the then Opposition when similar time limits were adopted by the House for a brief period before lapsing in 1987. The motion was agreed to on division (21: 18).

Given that the NSW Parliament has not been prorogued since August 2011 these time limits on debate on government legislation still apply. If recent parliaments are any guide, the 55th Parliament could be constituted by one continuous session, in which case the time limits will apply until the end of this Parliament prior to the March 2015 election. Whilst time limits apply to a range of debates, and have applied to debate on private members' bills and motions since 1999, this is the longest period in the Council's history in which time limits have applied to debate on government legislation.

Analysis of the impact of time limits

The Legislative Council has sat on 69 days since 3 August 2011. During this period a total of 99 bills have been debated. Whilst many of these bills have been routine in nature and have been passed with broad support, there have been a number of contentious bills dealt with. The following bills have therefore been analysed to assess the impact of the introduction of time limits on debate on government bills:

- Police Amendment (Death and Disability) Bill 2011,
- Election Funding, Expenditure and Disclosures Bill 2012,
- Local Government Amendment (Members of Parliament) Bill 2012,
- Electricity Generator Assets (Authorised Transaction) Bill 2012, and
- Workers Compensation Legislation Amendment Bill 2012.

A further contentious private members' bill, the Game and Feral Animal Control Bill 2012, was also dealt with during the last sitting week in June 2012. As similar time limits already apply to debate on private members' bills, the proceedings on this bill have also been included in the analysis of the scrutiny applied to contentious bills since the introduction of time limits. *Appendix One* sets out a one page analysis of the proceedings on each of these six contentious bills dealt with since 3 August 2011. In addition to some text on any unusual procedures, the analysis includes details of:

- the number of days taken to pass the bill (both sitting days and calendar days),
- the speaking time of each speaker in the second reading debate (identified only by their party name),
- the average speaking time,
- the time spent in committee-of-the-whole House, and the numbers of amendments moved and agreed to (by party), and
- the time of day at which debate on the second reading and committee stage ended.

A number of observations can be made on the basis of this analysis. While Government members comprise 45.2% of members of the House, their contributions to debate on the six bills totalled only 18.5% of the total speaking time. Opposition members, comprising 33.3% of the House, utilised 47.3% of speaking time. Greens members comprising 11.9% of the House, utilised 21.5% of speaking time. Christian Democratic Party members comprising 4.8% of the House, utilised 6.2% of speaking time. Shooters and Fishers Party members, comprising 4.8% of the House, utilised 6.5% of speaking time.

Of a total of 127 speakers on the six bills analysed, only 34 (27%) used the maximum debate time, suggesting 63% would not have necessarily spoken for longer in the absence of time limits. Members of the Greens were the most likely to utilise their maximum debate time (14 out of a total of 21 speeches on the six bills, although this figure is slightly embellished

by the Greens members' contributions to the debate on the Game and Feral Animals Control Amendment Bill 2012 on which all five Greens members spoke).

Average time in committee-of-the-whole on the six contentious bills was 3 hours and 7 minutes, although this figure has been exaggerated by the length of time the Workers Compensation Bill was under consideration in committee-of-the-whole (9 hours and 41 minutes).

In order to be able to make a comparison with the level of scrutiny applied to government legislation before the introduction of time limits, the staff of the Legislative Council Table Office were asked to identify and analyse proceedings on some comparable bills. In the limited time available two bills were identified that shared some features with the recent bills referred to earlier. Staff recalled both lengthy and heated debate on each of these bills, and complex proceedings in committee-of-the-whole with multiple sets of amendments moved. The following two bills have therefore been analysed using the same framework as that applied to the recent bills:

- Brigalow and Nandewar Community Conservation Area Bill 2005, and
- Natural Resources Commission Bill 2005 and cognates.

The analysis of these two bills is set out in *Appendix Two*.

Whilst this is admittedly a very small sample a number of things are apparent from these analyses. Overall, the total debate time on contentious bills does not appear to have decreased since the introduction of time limits. What has changed is that there has been a significant increase in the number of speakers on contentious bills, but with most speakers now speaking for a shorter time. The length of time contentious bills are before the parliament and subject to scrutiny has varied, but does not appear to have decreased on average. Similarly the average time contentious bills are being subjected to detailed scrutiny in committee-of-the-whole does not appear to have decreased, with a similar number of amendments being moved.

Two further observations may be made about the impact of the introduction of time limits on debate on government bills, beyond the analyses set out in the appendices. Firstly, during debate on one of the six contentious bills analysed, the Police Amendment (Death and Disability) Bill 2011, a member who used the maximum time available for his speech, having further material which he would have ordinarily introduced in a longer speech, incorporated material in Hansard by leave. The material consisted of case studies from police officers who might have been affected by the legislation. One of the case studies included some extremely unparliamentary language. Had the material been read onto the record, as would have presumably occurred in the absence of time limits on debate, it is highly likely that objection would have been taken to that language. As the material was incorporated, however, the language only became apparent when the galley proof of

Hansard appeared the next day. The offending words were edited out of the transcript before production of the pamphlet and bound volumes of Hansard. This is perhaps a salutary lesson should the existence of time limits on debate lead to additional request for leave for the incorporation of material in future.

The second observation that may be made is rather obvious, namely that the existence of time limits on debate on government legislation eliminates the filibuster as a procedural option.

An earlier benchmark

Going back well before the introduction of time limits, to the 50th and 51st Parliaments, the staff of the Legislative Council Table Office have provided an analysis of the proceedings on two bills from 1991 and 1995/96, which may well represent the high water mark of detailed scrutiny of legislation in NSW (at least since the reconstitution of the Legislative Council as a directly elected body in 1978). An analysis of the proceedings on these bills is set out in *Appendix Three*.

The 323 page Industrial Relations Bill 1991 was a fundamental rewrite of the state's industrial relations laws, introduced by the then Minister for Industrial Relations in the Greiner Government, the Hon John Fahey MP. The second reading debate in the Legislative Council took place over four sitting days and the bill was considered in committee-of-the-whole over five days, with a total of 579 amendments moved and 540 agreed to. Minister Fahey, a member of the Assembly, was present at the Table in the Council throughout consideration of the bill in committee-of-the-whole.

The 277 page Industrial Relations Bill 1995 was a further comprehensive rewrite of the state's industrial relations laws, introduced in the Legislative Council by the then minister for Industrial Relations and Attorney General in the Carr Government, the Hon Jeff Shaw MLC. After two days debate, the bill lapsed because of prorogation of the Parliament and was reintroduced in the new session in 1996. At the conclusion of the second reading debate, the bill was considered in committee-of-the-whole for more than 35 hours over seven sitting days, during which time 147 amendments were moved and 62 agreed to.

Conclusion

Parliamentary time is a limited commodity and its allocation will always be subject to competing demands. The introduction of time limits on debate on government legislation appears to have had a limited impact upon proceedings in the NSW Legislative Council. There has been an increase in the number of members speaking on contentious bills, but with those doing so making shorter speeches. Non-government members are utilising most

of the debate time on contentious government bills. Total debate time on contentious legislation appears to be comparable to that in recent years and the degree of scrutiny applied to the detail of legislation in committee-of-the-whole is also comparable, as is the total length of time between the introduction and passing of most contentious bills. Of course, bills still require the same level of support to be passed and three contentious bills remain on the Notice Paper while one bill remains in dispute between the Houses.

Perhaps of greater interest and significance is the difference evident between the scrutiny to which contentious legislation was subjected to in 1991 and 1996 in comparison with the level of scrutiny applied to such legislation ten years later (prior to the introduction of time limits on debate). Whilst it has not been uncommon in recent years for more than 100 amendments to be moved in committee of the whole on a contentious bill over a period of three to five hours, in 1991 a bill was under consideration in committee of the whole for five days, and in 1996 a bill on the same subject matter was under consideration for seven days.

There could be a range of reasons for this change, including changes in the legislative responsibilities of the states and thereby the content of legislation being dealt with by the parliament (for example, we are unlikely to see another fundamental rewrite of industrial laws in NSW since the federal government is now largely responsible for industrial relations) or changes in the political environment. It may also reflect a trend over a number of years whereby negotiations over legislation and amendments are now largely occurring behind the scenes, with multiple sets of amendments being drafted and argued over, with final sets of amendments being lodged and circulated to all members only after those negotiations have concluded. It may be that in 1991 and 1996 more of that negotiation and "tweaking" of the wording of amendments actually took place on the floor of the House, during the detailed debate in committee-of-the-whole.

Whilst the Legislative Council of 1996 was clearly undertaking its role of debating, amending, correcting and improving legislation in a particularly meticulous way, it is worth bearing in mind that there are many things that occur in the Legislative Council of today that did not take place in 1996. In 1996 there were no General Purpose Standing Committees and few select committees inquiring into the operations of government, it had been many years since any orders for the production of papers by the executive government, and limited private members' business was ever finalised. These are all key functions of the contemporary Legislative Council.

It is tempting, though, to imagine, a House which might combine today's rigorous scrutiny of executive government through committee inquiries and orders for papers, with the same intense scrutiny of the detail of legislation in committee-of-the-whole seen in 1991 and 1996. Such a scenario would add to the vibrancy of parliamentary democracy in NSW.

Appendix One

An analysis of proceedings on six contentious bills dealt with by the Legislative Council since the introduction of time limits on debate on government legislation on 3 August 2011

Appendix Two

An analysis of proceedings on two comparable bills dealt with by the Legislative Council prior to the introduction of time limits on debate

Appendix Three

An analysis of proceedings in the Legislative Council on previous bills dealing with industrial relations prior to the introduction of time limits on debate

Appendix 1: Bills since August 2011

Election Funding, Expenditure and Disclosures Amendment Bill 2012

Parliamentary timeline:

- Bill introduced into the Legislative Assembly (LA) on 12 September 2011 (notice given 23 June 2011); bill passed the LA without amendment on 12 October 2011 and was sent to the Legislative Council (LC).
- On 23 November 2011, the Labor Opposition successfully moved a motion (on division Ayes 20/Noes 15) in the LC to refer the bill to a Select Committee for inquiry and report. The Select Committee was required to report back to the House by 15 February 2012.
- The Select Committee report was tabled on 15 February 2012 – note that the report wasn't debated by the House until after the bill had passed the Parliament.
- Second reading debate in the LC occurred on 15 February 2012; the bill was then immediately considered in Committee of the Whole (COTW) and passed with an amendment 16 February 2012 (am).
- The LA agreed to the LC's amendment on 16 February 2012, and the bill was subsequently assented to on 21 February 2012.
- Sitting days to pass bill: 25; Calendar days to pass bill: 158.

Speaking times:

Party	Time (minutes)
Govt (LIB/Nat)	Minister's speech incorporated in Hansard
Labor	40
Labor	17
Govt	12
Shooters and Fishers Party (SFP)	7
Greens	20
Govt	20
Greens	3
Labor	20
Greens	12
Govt	20
Labor	10
Greens	19
Govt	20
SFP	4
Christian Democratic Party (CDP)	12
Govt	5
CDP	6
Labor	14
Govt (Minister in reply)	6

267 mins total
4 hrs, 37 mins

Key data:

19 speakers excluding the Minister's intro: six Govt, five Labor, four Greens, two SFP and two CDP.

Average speaker time (excluding Minister's incorporated speech): 14 mins, 3 secs.

In committee: 2hrs, 46 mins; debate ended 12.07 am.

Conclusion of second reading debate: 9.22 pm.

Amendments: No. of pages: 7

Party	Circulated	Agreed to
Govt (LIB/NAT)	1	1
ALP	22	0
GRN	11	0
CDP	2	0
Total	36	1

Electricity Generator Assets (Authorised Transactions) Bill 2012

Parliamentary timeline:

- Bill introduced into the LA on 6 March 2012 (notice given 23 February 2012); bill passed the LA without amendment on 14 March 2012 and was sent to the LC.
- Second reading debate in the LC occurred on 30 May 2012; the bill was then immediately considered in COTW and passed with two amendments.
- The LA agreed to the LC's amendments on 31 May 2012, and the bill was subsequently assented to on 5 June 2012.
- Sitting days to pass bill: 24; Calendar days to pass bill: 87.

Speaking times:

Party	Time (minutes)
Govt (LIB/NAT)	Minister's speech incorporated in Hansard
Labor	32
SFP	20
Greens	20
Labor	5
Govt	11
Govt	8
Govt	13
Labor	20
Govt	6
Labor	18
CDP	6
Greens	20
Labor	10
Greens	17
Labor	8
Labor	12
Labor	6
Labor	10
Labor	12
Govt (Minister in reply)	8

262 mins total
4 hrs, 32 mins

Key data:

20 speakers excluding the Minister's intro: ten Labor, five Govt, three Greens, one CDP, and one SFP.

Average speaking time (excluding Minister's incorporated speech): 13 mins, 6 secs.

In committee: 49 mins; debate ended 10.18 pm.

Conclusion of second reading debate 9.29 pm.

Amendments: No. of pages: 50

Party	Circulated	Agreed to
GRN	1	0
SFP	2	2
Total	3	2

Game and Feral Animal Control Amendment Bill 2012 – Private member’s public bill

Parliamentary timeline:

- Bill introduced into the LC on 14 June 2012 (notice given 12 May 2011); second reading and COTW debate occurred on 20 June 2012 (note the second reading required the suspension of Standing and Sessional Orders (SSOs), agreed to on division Ayes 19/Noes 18, to allow the debate of a private member’s bill on a day set for Government Business); the bill passed the LC with an amendment on 21 June 2012 and was sent to the LA.
- The bill passed all stages in the LA on 21 June 2012.
- The bill was assented to on 27 June 2012.
- Sitting days to pass bill: 4; Calendar days to pass bill: 8.

Speaking times:

Party	Time (minutes)
SFP	19
Govt	9
Labor	20
Greens	20
Govt	14
CDP	7
Govt	4
Govt	7
Govt	7
Labor	17
Govt	7
Govt	3
Greens	20
Govt	4
Labor	8
Govt	4
Greens	20
Labor	15
Greens	20
Greens	20
Labor	7
Labor	7
Labor	20
Labor	12
SFP	20

311 mins total
5 hrs, 11 mins

Key data:

25 speakers: nine Govt, eight Labor, five greens, two SFP and one CDP.

Average speaking time: 12 mins, 27 secs.

In committee: 2hrs, 53 mins; debate ended 10.58 pm.

Conclusion of second reading debate: 8.05 pm.

Amendments: No. of pages: 15

Party	Circulated	Agreed to
Govt (LIB/NAT)	1	0
ALP	5	0
GRN	21	1
Total	27	1

Workers Compensation Legislation Amendment Bill 2012

Parliamentary timeline:

- Prior to the bill being tabled in Parliament, the Government on 2 May 2012 passed a resolution in the LC forming a Joint Select Committee to review the NSW workers compensation scheme. The resolution required the Committee to report to the Parliament by 13 June 2012, to which the Opposition unsuccessfully attempted to extend to 2 August 2012.
- The Joint Select Committee report was tabled on 13 June 2012.
- Bill introduced into the LA on 19 June 2012; bill passed the LA without amendment on 19 June 2012 and sent to the LC.
- Second reading debate in the LC occurred on 21 June 2012; the bill was then immediately considered in COTW and passed with 13 amendments on 22 June 2012 (am).
- The LA agreed to the LC's amendments on 22 June 2012 (am), and the bill was subsequently assented to on 27 June 2012.
- Sitting days to pass bill: 3; Calendar days to pass bill: 3.

Speaking times:

Party	Time (minutes)
Govt (LIB/NAT)	Minister's speech incorporated in Hansard
Labor	40
SFP	12
Labor	20
Greens	20
SFP	13
Labor	12
Labor	20
Labor	18
Labor	9
Labor	7
Greens	13
Labor	18
Greens	20
Labor	12
Labor	20
Labor	19
Greens	20
Labor	15
Govt	9
Greens	6
CDP	20
Govt (Minister in reply)	18

361 mins total

Six hrs, 1 min

Key data:

22 speakers excluding the Minister's intro: 12 Labor, two Govt, two CDP, one SFP, and five Greens.

Average speaking time (excluding Minister's incorporated speech): 16 mins, 24 secs.

In committee: 9 hrs, 41 mins; debate ended 2.07 am.

Conclusion of second reading debate: 12.35 pm.

Amendments: No. of pages: 68

Party	Circulated	Agreed to
Govt (LIB/NAT)	3	0
ALP	62	0
GRN	52	5
CDP	8	8
SFP	2	0
Total	127	13

Local Government Amendment (Members of Parliament) Bill 2012

Parliamentary timeline:

- Bill introduced into the LA on 27 March 2012 with notice given that day; bill passed the LA and sent to the LC without amendment on 3 April 2012.
- The bill passed all stages in the LC without amendment on 3 April 2012.
- The bill was assented to on 11 April 2012.
- Sitting days to pass bill: 4; Calendar days to pass bill: 8.

Speaking times:

Party	Time (minutes)
Govt (LIB/NAT)	11
Labor	24
CDP	15
SFP	3
Greens	20
Labor	12
Greens	16
Labor	17
Labor	13
Labor	3
Govt	1
Labor	11
Govt (Minister in reply)	8

154 mins total
2 hrs, 34 mins

Key data:

13 speakers: six Labor, three Govt, one CDP, one SFP, and two Greens.

Average speaking time: 11 mins, 50 secs.

In committee: 52 mins; debate ended 9.22 pm.

Conclusion of second reading debate: 6.52 pm.

Amendments: No. of pages: 4

Party	Circulated	Agreed to
GRN	1	0
SFP	7	0
Total	8	0

Police Amendment (Death and Disability) Bill 2011

Parliamentary timeline:

- Bill introduced into the LC on 9 November 2011 (notice given 8 November 2011); bill declared an urgent bill; bill passed the LC with ten amendments on 24 November 2012.
- Bill passed all stages in the LA (without amendment) on 25 November 2011.
- Bill was assented to on 30 November 2011.
- Sitting days to pass bill: 7; Calendar days to pass bill: 17.

Speaking times:

Party	Time (minutes)
Govt (LIB/NAT)	10
Labor	38
Govt	4
Labor	8
Govt	7
Labor	6
Govt	5
Labor	19
Greens	20
Labor	20
Govt	3
Labor	11
Govt	18
Labor	12
CDP	20
Labor	17
Labor	12
Labor	20
Greens	20
Labor	16
CDP	20
SFP	13
Govt	6
Govt	7
Govt (Minister in reply)	20

352 mins total
5 hrs, 52 mins

Key data:

25 speakers: 11 Labor, nine govt, two Greens, two CDP, and one SFP.

Average speaking time: 14 mins, 5 secs.

In committee: 1 hr, 38 mins; debate ended 10.37 pm.

Conclusion of second reading debate: 8.58 pm.

Amendments: No. of pages: 13

Party	Circulated	Agreed to
CDP	12	10
Total	12	10

Appendix 2: Bills prior to the introduction of the sessional order on time limits

Brigalow and Nandewar Community Conservation Area Bill 2005

Parliamentary timeline:

- Bill introduced into the LA on 27 May 2005 (notice given 26 May 2005); bill passed the LA on 9 June 2005, and sent to the LC.
- Second reading debate took place over two days 21 June 2005-22 June 2005, with the bill passing COTW with seven amendments on 23 June 2005 am.
- LA agreed to the amendments on 24 June 2005.
- Bill was assented to on 1 July 2005.
- Sitting days to pass bill: 7; Calendar days to pass bill: 14.

Speaking times:

Party	Time (minutes)
Govt (ALP)	Minister's speech incorporated in Hansard
Coalition	1 hr, 29 mins
Greens	34 mins
Coalition	1 hr, 13 mins
Coalition	23 mins
CDP	19 mins
Coalition	12 mins
Democrats	8 mins
Coalition	7 mins
Unity	8 mins
Outdoor Rec	10 mins
Shooters	3 mins
CDP	6 mins
Govt (Minister in reply)	39 mins

331 mins total
5 hrs, 31 mins

Key data:

13 speakers excluding the Minister's intro: one govt, five coalition, one Green, two CDP, one Democrat, one Unity, one Outdoor Rec, and one Shooter.

Average speaking time (excluding Minister's incorporated speech): 25 mins, 27 secs.

In committee: 1 hr, 47 mins; debate ended 12.18 am.

Conclusion of second reading debate: 10.29 pm.

Amendments: No. of pages: 65

Party	Moved	Agreed to
Govt (ALP)	6	6
LIB	40	0
NAT	4	4
GRN	2	1
Total	52	11

Natural Resources Commission Bill 2005 and cognates

Parliamentary timeline:

- Bill introduced into the LA on 12 November 2003 (notice given that day); bill passed the LA on 19 November 2003, and sent to the LC.
- Second reading debate took place over two days 4 December 2003 (the President left the Chair at 1.15 am) – 5 December 2003, with the bill passing COTW with four amendments 5 December 2003 pm.
- LA agreed to the amendments on 5 December 2005.
- Bill was assented to on 11 December 2003.
- Sitting days to pass bill: 10; Calendar days to pass bill: 24.

Speaking times:

Party	Time (minutes)
Govt (ALP)	Minister's speech incorporated in Hansard
Coalition	1 hr, 25 mins
Greens	1 hr, 4 mins
Outdoor Rec	24 mins
Unity	9 mins
Coalition	21 mins
Democrats	19 mins
Coalition	19 mins
One-Nation	5 mins
CDP	27 mins
Coalition	34 mins
Govt (Minister in reply)	3 mins
	310 mins total
	5 hrs, 10 mins

Key data:

11 speakers excluding the Minister's intro: one govt, four Coalition, one Green, one Outdoor Rec, one Unity, one One-Nation, one CDP, and one Democrat.

Average speaking time (excluding Minister's incorporated speech): 23 mins, 50 secs.

In committee: 5 hr, 34 mins; debate ended 5.14 pm.

Conclusion of second reading debate: 11.38 am.

Amendments:

Natural Resources Commission Bill 2003, No. of pages: 20

Party	Moved	Agreed to
Govt (ALP)	11	11
GRN	30	6
Outdoor Rec	2	0
Total	43	17

Note: Tallies comprise amendments moved during original consideration in committee, and subsequent recommittal).

Native Vegetation Bill 2003 (cognate), No. of pages: 32

Party	Moved	Agreed to
Govt (ALP)	48	47
GRN	61	0
Total	109	47

Catchment Management Authorities Bill 2003 (cognate), No. of pages: 35

Party	Moved	Agreed to
Govt (ALP)	5	5
GRN	31	0
Outdoor Rec	2	0
Total	38	5

Appendix 3: Industrial relations legislation considered prior to the sessional order on time limits:

Industrial Relations Bill 1995 and cognate

Parliamentary timeline:

- Bill introduced into the LC on 23 November 1995 (on division Ayes 22/Noes 17). Shadow Minister Hannaford (Coalition) spoke for 20 minutes in opposition to the bill being introduced.
- Second reading speech given 23 November 1995, to which Rev Nile (Call to Aust) successfully moved that debate be adjourned until 12 December 1995, instead of the usual five calendar days. In moving to adjourn debate Rev Nile argued that all stakeholders, including members, required extra time to review the bill.
- On 6 December 1995, the Govt successfully moved to rescind Rev Nile's resolution and bring on debate that day (on division Ayes 22/ Noes 15).
- Second reading debate occurred over two days 6 December 1995-7 December 1995 ending at 8.51 pm. At the end of the second reading debate the Opposition successfully moved to adjourn debate until 12 December 1995 (on voices).
- Bill lapsed on the notice paper with the prorogation of Parliament on 27 January 1996.

Speaking times:

Party	Time (minutes)
Govt (ALP)	93
Coalition	85
Govt	39
Democrats	50
Coalition	51
Greens	10
Coalition	34
Govt	12
Coalition	33
Coalition	24
Coalition	12
Coalition	10
Call to Aust	98
Govt (Minister in reply)	11

562 mins total
9 hrs, 22 mins

Key data:

14 speakers: four govt, seven coalition, one Democrat, one Green and one Call to Aust.

Average speaker time: 40 mins, 9 secs.

Second reading end time: 6 December 1995 – 10.46 pm, 7 December 2005 – 8.51 pm.

Amendments:

Bill did not reach COTW stage, but the following number amendment pages were drafted in anticipation of debate:

Industrial Relations Bill 1995, No. of pages: 277

Employment Agents Bill 1995 (cognate), No. of pages: 21.

Industrial Relations Bill 1996 and cognate

Parliamentary timeline:

- Bills, effectively the same as the ones lapsed in late 1995 due to prorogation, introduced 17 April 1996. During the second reading debate Rev Nile unsuccessfully attempted to adjourn debate until 17 September 1996 (on division Ayes 18/Noes 21). Second reading debate agreed to on division Ayes 21/Noes 18.
 - Marathon debate in COTW took place over seven sitting days (30/04/96, 14/05/96, 15/05/96, 16/05/96, 21/05/96, 22/05/96, and 23/05/96) for a total of 35 hrs, 53 mins. The longest single sitting in COTW was 5hrs, 26 mins and the latest finish was at 11.02 pm.
 - On 23 May 1996 when the Minister moved that the report be adopted the Opposition successfully moved that the bills be recommitted so that three clauses could be further considered (on division Ayes 19/Noes18). The bills eventually passed all stages with amendments, and were forwarded to the LA for concurrence.
- First reading LA, 28 May 1996; second/third reading LA, 5 June 1996; and assented to 13 June 1996.
 - Sitting days to pass bill: 11 days; Calendar days to pass bill: 50 days.

Speaking times:

Party	Time (minutes)
Govt (ALP)	16
Coalition	29
Coalition	23
Democrats	28
Call to Aust	33
Govt (Minister in reply)	13
	142 mins total
	2 hrs, 22 mins

Key data:

6 speakers: two govt, two coalition, one Democrat, and one Call to Aust.

Average speaker time: 23 mins, 40 secs.

In committee: 35 hrs, 53 mins.

Conclusion of second reading debate: 10.54 pm.

Amendments: No. of pages: 287

Party	Moved	Agreed to
Govt (ALP)	2	2
LIB	137	53
AD	5	5
CTA	3	2
Total	147	62

Note: Tallies comprise amendments moved during original consideration in committee, and subsequent recommittal).

Note: the *Employment Agents Bill 1996* (cognate) did not reach committee of the whole stage but there were 21 pages of proposed amendments.

Industrial Relations Amendment (Public Sector Conditions of Employment) Bill 2011

Parliamentary timeline:

- Bill introduced 24 May 2011 in the LC, Minister's second reading given, debate adjourned on the motion of the Opposition Spokeswoman, Ms Cotsis, for five sitting days rather than five calendar days.
- Second reading debate recommenced on 1 June 2011 with Ms Cotsis the lead speaker on behalf of the Opposition; Ms Cotsis' contribution was adjourned to allow Mr Searle to deliver his inaugural address; debate resumed on 2 June 2011 with Ms Cotsis still having the call; debate again adjourned to allow Mr Secord to deliver his inaugural address; at the end of her contribution Ms Cotsis moved that the bill be referred to GPSC 1 for inquiry and report.
- The second reading debate continued over two days with the inclusion of two long bells; one at 3.19 am through 9.00 am (02/06/11-03/06/2011), and the other 11.20 pm through 9.00 am (03/06/11-04/06/2011). Mr Shoebridge's contribution of five hrs, 58 mins was the single longest speech made in the House's history.
- On 4 June 2011, the second reading debate came to an end through the use of SO.99 (agreed to on division Ayes 20/Noes 17 and used for the first time since 1906) which allowed the Government to gag the debate. Ms Cotsis' amendment was subsequently

negated on division Ayes 17/Noes 20. The bill passed Committee of the whole with one amendment, proposed by the SFP to exempt council workers from the bill.

- On 14 June 2011 the bill was read a third time and sent to the LA where it passed all stages 16 June 2011.
- Bill assented to 17 June 2011
- Sitting days to pass bill: 11 days; Calendar days to pass bill: 24 days.

Speaking times:

Party	Time (minutes)
Govt (LIB/NAT)	19
Labor	4 hrs, 23 mins
Greens	5 hrs, 58 mins
SFP	5
CDP	9
Labor	2 hrs, 50 mins
Labor	2 hrs, 39 mins
Labor	2 hrs, 24 mins
Greens	5 hrs, 54 mins
Labor	2 hrs, 54 mins
Govt (Minister in reply)	12 mins

1,667 mins total
27 hrs, 47 mins

Key data:

11 speakers: two govt, five Labor, one SFP, one CDP, and two Greens.

Average speaking time: 2 hrs, 31 mins, 33 secs.

In committee: five hrs, 33 mins; debate ended 5.15 pm.

Conclusion of second reading debate: 9.36 am. Debate included two long bells one at 11.20 pm through 9.00 am (03/06/11-04/06/2011), and the other 3.19 am through 9.00 am (02/06/11-03/06/2011).

Amendments: No. of pages: 23

Party	Circulated	Agreed to
Govt (LIB/NAT)	157	0
GRN	52	0
SFP	1	1
Total	210	1

Industrial Relations Bill 1991 (no time limits)

Parliamentary timeline:

- Bill introduced in the LA 28 August 1991, after lengthy second reading and Committee debate the bill was received in the LC 26 September 1991.
- Second reading debate occurred over four sitting days 15/10/91, 16/10/91, 17/10/91 and 18/10/91.
- Marathon debate in Committee of the whole occurred over five sitting days 18/10/91, 21/10/91, 22/10/91, 23/10/91, and 29/10/91 – COTW debate lasted 39 hrs, 38mins.
- On 29/10/91 the bill passed LC without amendment and was read a third time.
- Bill assented to 11 November 2011.
- Sitting days to pass bill: 18 days; Calendar days to pass bill: 62 days.

Speaking times:

Party	Time (minutes)
Govt (LIB/NAT)	50
Labor	79
Labor	22
Labor	14
Labor	52
Govt	14
Democrats	50
Labor	44
Call to Aust	59
Labor	68
Democrats	10
Labor	29
Labor	14
Labor	11
Govt	14
Govt (Minister in reply)	48

578 mins total
9 hrs, 38 mins

Key data:

16 speakers: four govt, nine Labor, one Call to Aust, and two Democrats.

Average speaking time: 36 mins, 8 secs.

In committee: 39 hrs, 38 mins; debate ended 12.14 am.

Conclusion of second reading debate: 10.04 am.

Amendments: No. of pages: 323

Party	Moved	Agreed to
Govt (LIB/NAT)	368	351
ALP	174	155
DEM	33	33
CTA	4	1
Total	579	540

Note: Tallies comprise amendments moved during original consideration in committee, and subsequent recommittal).