



LEGISLATIVE ASSEMBLY

Procedural Digest

Fifty-eighth Parliament, First Session

No. 2/2025: 18 – 28 March 2025

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.

March 2025

M	T	W	T	F
17	18	19	20	21
24	25	26	27	28

Chamber

Friday Routine of Business

As noted in the [November 2024 Procedural Digest](#), the House had previously resolved, pursuant to Standing Order 34, to sit on six Fridays throughout 2025, the first of which was to occur on Friday 28 March 2025. While the standing orders set out a standard routine of business for sitting day Tuesdays, Wednesdays and Thursdays, there is no such routine set for Fridays. Consequently, on Wednesday 26 March, the House agreed to a routine of business specifically for Friday sitting days.

The suspension motion proposing the Friday routine was moved by the Leader of the House. The Manager of Opposition Business moved an amendment which aimed to include Question Time as well as time to debate Private Members' Bills. The amendment was defeated on division, and the original motion agreed to, also on division.

The new Friday routine includes time for the giving of Notices of Motions for General Business, the introduction of and second reading speeches for Private Members' Bills for up to 40 minutes, take note debates on tabled Committee reports for up to 40 minutes, Government Business, Community Recognition Statements for up to 20 minutes and Private Members Statements. There is no automatic lunch break, but as per practice, the Speaker may leave and resume the Chair to suit the convenience of the House. The House is to adjourn for the day at the end of Private Members Statements, or at 4pm, whichever occurs first.

The routine is very similar to that passed by the House in May 2024 for the Friday sittings during that year, with some key differences:

- The 2025 resolution will apply to any Friday sittings during the remainder of this session, whereas the 2024 resolution only applied to specific dates in 2024.
- The 2025 resolution does not include time for petition debates. While the 2024 resolution did set aside time for petition debates, the time was never actually required to be used.
- The 2025 resolution does not set a time limit for Government Business. In 2024, Government Business could not continue past 1.30pm (as this was when CRS commenced).
- The 2025 resolution does not specify a commencement time for Community Recognition Statements or Private Members Statements (whereas in 2024, CRS commenced at 1.30 pm followed immediately by PMS). This means that the giving of CRS is able to start as soon as all other prior business has concluded. However, if CRS starts too late in the day, there may not be enough time to complete it or PMS before the 4pm hard adjournment time.



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This very scenario occurred on the 28 March, the first sitting Friday of 2025. Government Business continued from 11.40 am until 2.55 pm, without a lunch break. This meant that Community Recognition Statements did not commence until 2.56 pm, which risked the interruption of Private Members Statements at 4pm. To ensure enough time for PMS, the House suspended standing orders (to allow for the moving of a motion without notice) and resolved to continue to sit past 4pm until the completion of Private Members Statements. The House adjourned at 4.31 pm.

Votes and Proceedings: 26/03/2025 pp. 1155-58, 28/03/2025 p. 1173

Hansard (Proof): 26/03/2025 pp. 69-73, 28/03/2025 p. 44

Standing Orders 34 (Days and times of meetings) 97 (Routine of Business) and 365 (Suspension of Standing Orders)

Attire in the Chamber

As mentioned above, on Wednesday 26 March the House considered a motion moved by the Leader of the House which proposed a routine of business for sitting Fridays. The Member for Wahrenoonga moved an amendment to the motion and when the question on the amendment was put a division was called.

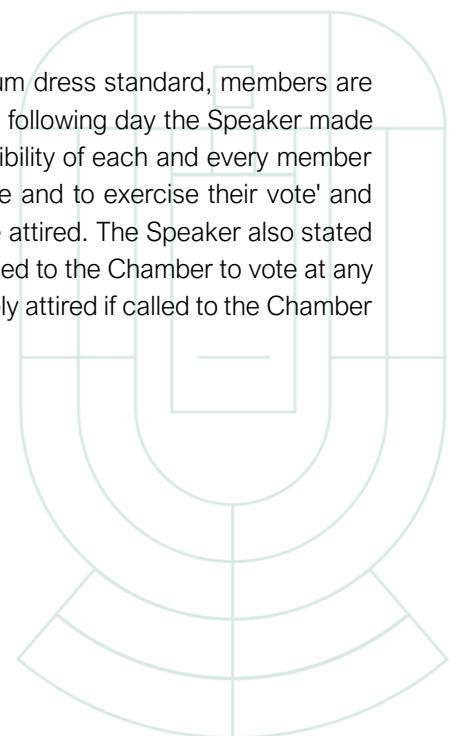
During the division, the Member for Coffs Harbour rose to take a point of order drawing the Temporary Speaker's attention to 'the fact that a member [was] wearing unusually casual attire in the Chamber'. Once the doors had been locked, the Temporary Speaker, Ms Stephanie Di Pasqua, ruled that that there was no point of order and that the Member for The Entrance, who had entered the Chamber wearing a suit jacket but ostensibly dressed in athletic attire, could remain in the Chamber and vote in the division.

Following the Temporary Speaker's ruling, the Member for Wahrenoonga and the Member for Lane Cove both rose to take a point of order, again drawing attention to the member's casual attire. The Temporary Speaker reiterated her initial ruling, instructing that any further questions regarding the ruling should be referred to the Speaker outside the Chamber.

While there are no standing or sessional orders that outline a prescribed minimum dress standard, members are expected to be dressed in appropriate business attire while in the Chamber. The following day the Speaker made a statement which noted this expectation but emphasised that the 'first responsibility of each and every member is to the people they represent', having 'a constitutional responsibility to be here and to exercise their vote' and that this consideration overrides any sensibility regarding how a member may be attired. The Speaker also stated that when the House is sitting, members need to be aware that they could be called to the Chamber to vote at any time and accordingly should make preparations to ensure that they can be suitably attired if called to the Chamber unexpectedly.

Votes and Proceedings: 27/03/2025, p. 1160; 19/11/2020, p. 1007

Hansard (Proof): 26/03/2025, p. 71; 27/03/2025, pp. 7-8; 19/11/2020, p. 4887





Procedural note

The statement made by the Speaker on 27 March echoes a statement made by Speaker O'Dea on 19 November 2020 advising the House of the Standing Orders and Procedure Committee's decision to not introduce a formal dress standard. While the Committee had considered the issue and decided that it was 'not appropriate to introduce a sessional order', it was noted that, like many legislatures around Australia, business attire was generally the accepted standard of dress in the Legislative Assembly Chamber.

Members

Ministerial announcements

On Tuesday 18 March, the Leader of the House, on behalf of the Premier, informed the House of Ministerial changes that had occurred since the last sitting period.

First, the Leader of the House announced the following resignations from Ministerial portfolios:

- John Graham as Minister for Roads and Minister for Jobs and Tourism.
- Stephen Kamper, as Minister for Small Business.
- Rose Jackson as Minister for the North Coast.
- Jennifer Aitchison, as Minister for Regional Transport and Roads.

Second, the Leader of the House announced the following appointments to Ministerial portfolios:

- Stephen Kamper as Minister for Jobs and Tourism.
- Jenny Aitchison as Minister for Roads and Minister for Regional Transport.
- Janelle Saffin as a Member of the Executive Council and as Minister for Small Business, Minister for Recovery and Minister for the North Coast.

Of particular significance was the appointment of Janelle Saffin to the Ministry as the Minister for Small Business, Minister for Recovery and Minister for the North Coast. Prior to becoming a Minister, Ms Saffin held the position of Deputy Government Whip, and was also a member on a number of parliamentary committees. These are positions which, according to convention, are not held by Ministers. A number of appointments were therefore made to replace Ms Saffin, including:

- Liesl Tesch as the Deputy Government Whip, and as a member of the Standing Orders and Procedure Committee; and
- Jo Haylen as a member on the Standing Committee on Parliamentary Privilege and Ethics.

Additional appointments are likely to be made in the near future to replace Ms Saffin on the Joint Standing Committee on Electoral Matters, and the Select Committee on Remote, Rural and Regional Health.

Votes and Proceedings: 18/03/2025 p.1105 and 28/03/2025, p.1173

Hansard (Proof): 18/03/2025, p.1 and 28/03/2025, p.44

Standing Orders SO 274 (Appointment or discharge of committee members)



Procedural note

Standing order 274 provides for motion regarding the appointment or discharge of committee members to be moved without notice. When there are membership changes to Joint Committees a message is sent to the Council informing it of the change.

Speaker

Update – Legislative Council order for papers

On 17 March 2025 the Standing Committee on Parliamentary Privilege and Ethics tabled a [report](#) on its inquiry into 'Implications of orders for the production of papers pertaining to the office of Speaker'. The inquiry was referred by the House following a Legislative Council order for the Premier's Department to produce papers relating to Ministerial vehicle logbooks, as well as documents relating to current and former Speakers of the Assembly (see Procedural Digest [No 1/2025](#)).

The report expressed concern that providing papers pertaining to the office of Speaker to the Legislative Council would be inconsistent with the principle of comity (or trust) between the Houses. Under this principle, neither House can exercise authority over a member of the other House or inquire into the other's operations.

The report also suggested that the order may exceed the scope of the Council's powers. The basis of the Council's power to order State papers is that it is necessary for exercising the function of scrutinising the Executive. The role of Speaker, however, is independent of the Executive. Papers concerning the Speaker's use of office holder vehicles are held by the Premier's Department as an administrative arrangement. The Speaker's vehicle-related expenses are incurred out of his own budget, for which he is accountable to the Assembly.

On 25 March, at the Speaker's request, the Premier's Department produced the relevant papers to the Speaker, rather than to the Council. On the following day, the Speaker announced their availability for Members of the Assembly to inspect.

The Committee Chair, Mr Greenwich outlined these matters to the House on 28 March in his contribution to a take note debate on the report.

Votes and Proceedings: 26/03/2024, p. 1150 and 28/03/2024, p. 1171

Hansard (Proof): 26/03/2024, p. 9 and 28/03/2024, p. 9

Standing Order 306 (Committee reports, tabling in the House and debate)

Business

Expressions of condolence for the passing of Rochelle Porteous and Nickola Lalich

On Tuesday 18 March, the Member for Balmain, Ms Kobi Shetty, gave a general business notice of motion regarding the passing of Rochelle Porteous, former Leichhardt and Inner West Council Mayor. Later that day, the House resolved to suspend standing and sessional orders to give Ms Shetty's notice of motion precedence during the time set aside for General Business Orders of the Day (not being Bills). On Thursday 20 March, pursuant to



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the resolution of the House, Ms Shetty moved her motion, with three other members rising to make contributions, and the question was put and passed with members and officers standing as a mark of respect.

On Wednesday 26 March, during the routine of business before Question Time, the Speaker informed the House of the death of Nickola Lalich, the former Member for Cabramatta. Mr Hoenig made a ministerial statement in relation to the death, which was followed by a contribution by the Leader of the Opposition, Mr Mark Speakman. Again, members and officers stood as a mark of respect.

Votes and Proceedings: 18/03/2025, p. 1112; 20/03/2025, p. 1134; 26/03/2025, p. 1150

Hansard (Proof): 18/03/2025, p. 28; 20/03/2025, pp. 30-33; 26/03/2025, pp. 10-11

Standing Orders 103 (Times for Ministerial Statements), 104 (Duration of Ministerial Statements), 105 (Precedence and lapsing of General Business), and 136 (Order on Business Paper)

Record-breaking ePetition

On Thursday 20 March, the House considered a take note debate on an electronic petition calling for fair pay for nurses and midwives, presented by the Member for Newtown, Ms Jenny Leong. The petition, which received over 38,000 signatures, is the largest ePetition lodged since they were first introduced in the Legislative Assembly in August 2020.

During her speech, Ms Leong acknowledged the significance of the record-breaking petition and praised the public's response, noting that over 20,000 signatures, the minimum threshold to trigger a debate, were collected within the first four days.

Votes and Proceedings: 20/03/2025, p. 1135

Hansard (Proof): 20/03/2025, p. 42

Standing Orders 125A (Debate on petitions signed by 10,000 or more persons) and 125 (Referral to Minister and Response)

Question Time – Premier referring questions to another Minister

The last Procedural Digest [No. 1/2025](#) discussed how, on 20 February, the Speaker ruled that it was not out of order for the Premier to refer a question during Question Time to another Minister. In March, two similar instances occurred:

- On 20 March the Premier was asked a question regarding NSW Ambulance rostering which he referred to the Minister for Health. On a point of order being called by the Manager of Opposition Business, the Speaker ruled that he would continue to allow questions to be referred to Ministers where appropriate, noting his previous ruling on the matter, and the practice of the Commonwealth House of Representatives.
- On 27 March, the Premier was again asked a question regarding NSW Ambulance which he referred to the Minister for Health. Several points of order were called, with the Speaker making a similar ruling to the referral a week prior:

'Members will not comment about the Premier's referral of the question to the relevant Minister. I ruled on the matter recently. This is, prima facie, a perfect example of when a referral is applicable.'



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This is not the first time a Speaker has ruled on whether a Premier can refer a question to a Minister. In 1973, Speaker Ellis ruled that the Premier had 'exercised his prerogative to say that [a question directed to him] should be directed to the Minister for Education who represents in this House the Minister responsible.'

Hansard (Proof): 18/10/1973, p. 2247-2248; 20/03/2025, p. 14-15; 27/03/2025, p. 14-16
Standing Orders 126 (Questions to Ministers)

Bills

Bail Amendment (Extension of Limitation on Bail in Certain Circumstances) Bill 2025 – Consideration in Detail

In March 2024, the Government introduced the Bail and Crimes Amendment Bill 2024 which, following passage through both Houses, was assented to on 3 April 2024. That bill inserted section 22C into the *Bail Act 2013* which provided for a temporary limitation on granting bail for certain young persons in relation to certain serious offences. Section 22C was set to expire 12 months after commencement on 3 April 2025.

On 19 February this year the Government introduced the Bail Amendment (Extension of Limitation on Bail in Certain Circumstances) Bill 2025 (the Bill). The Bill had the following, very narrow long title: "*An Act to amend the Bail Act 2013 to extend the sunset period for section 22C of that Act*". The text of the Bill itself was only two lines long: "*Omit section 22C(5). Insert instead— (5) This section is repealed on 4 April 2028*". The sole effect of the Bill was to extend the sunset period of section 22C for a further three years.

The second reading debate proceeded on 19 March and was agreed to following a division (78 – 7), with four independent members, and three members of the Greens voting against the second reading.

The Bill was considered in detail at the request of the Member for Wahroonga and the Member for Pittwater. The Member for Wahroonga proposed four amendments. One amendment sought to amend the Bill's proposed new sunset period for section 22C from 1 April 2028 to 1 October 2026. That amendment fell within the very narrow long title of the bill. Two of the Member for Wahroonga's other amendments sought to require the NSW Bureau of Crime Statistics and Research (BOCSAR) to report on the operation of section 22C and related matters. These two amendments fell outside the long title of the bill and they were appropriately accompanied by a fourth amendment to add to the long title "*and to make other amendments to that Act for related purposes*". Mr Henskens moved the first three amendments. All were negatived, making the amendment to change the long title redundant.

The Member for Pittwater moved one amendment requiring a Ministerial review of the operation of the amendments made by the Bill, using information provided by BOCSAR. Mr Michael Daley responded to the amendment, noting:

"I will make sure that the information provided by BOCSAR includes things like the number of young persons who fall within the scope of section 22C who were charged with relevant offences, information about whether those young people were granted bail, and other relevant data... I will ensure that the statutory review will outline the progress of measures across government to tackle youth crime, including those early intervention and rehabilitation measures... I will ensure that the statutory review also includes relevant financial information about the costs of the measures in this bill."

The amendment was agreed to on the voices, and was not accompanied by a consequential amendment to the long title.



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The third reading of the Bill passed on division (78 – 9), with the seven noes on the second reading now accompanied by two further independent members. The Bill was forwarded to the Legislative Council for concurrence.

Before the Legislative Council commenced committee of the whole (consideration in detail) on Thursday 20 March, the Council agreed to the following Opposition motion:

“That it be an instruction to the committee of the whole that it has the power to consider amendments related to section 22C of the Bail Act 2013 and for related purposes.”

The Council considered a number of amendments. However, the only amendment that passed was an Opposition amendment which sought to change the sunset date of the bill to 1 October 2026, this being the exact same amendment proposed by the Manager of Opposition Business and negatived in the Legislative Assembly.

The Assembly considered the Council's amendment on Tuesday 25 March. During the debate, Mr Daley stated:

“As much as I would like to throw the amendment out, the reality of the situation is that if we do not agree to the bill in its current form, with the measures that have come back from the Legislative Council, the tougher bail measure imposed by section 22C of the Bail Act will sunset... We do not want that to happen, so we have no choice but to accept the bill as amended.”

The Council amendment was agreed to on the voices. The Bill, as amended, was assented to by the Governor on 2 April, one day before section 22C would have sunset.

Votes and Proceedings: 19/3/2025, p. 1121; 25/3/2025, p. 1139

Hansard (Proof): 19/3/2025, p. 5; 25/3/2025, p. 17

Standing Orders 210 (Amendments relevant) and 211 (Long title amended)

Procedural note

Standing Order 210 (Amendments relevant) provides that amendments can be moved to a part of a bill if 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.

Closure motion carried during debate on the Electoral Amendment (Voter ID and Electronic Mark Off) Bill 2024 (No 2)

The Electoral Amendment (Voter ID and Electronic Mark Off) Bill 2024 (No 2) (the Bill) is a Private Members' bill introduced by the Member for Kiama on 15 November 2024. It seeks to amend the *Electoral Act 2017* to require an elector to provide identification before voting and require election officials to mark an electronic roll after they give a ballot paper.

The second reading debate on the Bill commenced on Thursday 27 March. Twelve members had spoken in the debate when the Member for Leppington sought the call and moved the motion “That the question be now put”. The closure motion was agreed to on division (50 - 36).



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Standing Order 87 provides that if a closure is carried on a motion, the mover of the original motion is permitted to speak for up to 30 minutes in reply. Following this, the question “That the bill be read a second time” is put to the House. However, the result of the division was declared at 1.33 pm and the Temporary Speaker, Ms Stephanie Di Pasqua, then declared that the time allocated for General Business Orders of the Day for Bills had expired.

The decision of the House to have the question now put on this item of business is still alive. As such, the Bill is afforded precedence and will be the first item of business called on when the House next deals with General Business Orders of the Day for Bills, which is scheduled for Thursday 8 May 2025. As it is, 8 May is likely the last day on which the Bill could be considered as it is due to lapse in accordance with Standing Orders on 13 May 2025.

Votes and Proceedings: 27/3/2025, p. 1162

Hansard (Proof): 27/3/2025, p. 3

Standing Orders 86 (Motion “That the question be put”) and 87 (Closure – right of reply)

Procedural note

Standing Order 86 provides that the motion “That the question be put” can be moved by any member, even whilst another member is addressing the house. However, it cannot be moved before 10.30 a.m. on any day when the House meets at an earlier time. The motion must be put forthwith without amendment or debate. The question must be carried by at least 30 members in the affirmative.

Standing Order 87 states that whenever a closure motion is carried, the mover of the original motion, if entitled to a reply, can speak for up to 30 minutes in reply or a lesser time if specified.

