

Passed by both Houses



New South Wales

# Constitution Amendment (Virtual Attendance) Bill 2022

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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Legislative Council  
2022*

*Clerk of the Parliaments*



New South Wales

## **Constitution Amendment (Virtual Attendance) Bill 2022**

Act No \_\_\_\_\_, 2022

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An Act to amend the *Constitution Act 1902* to enable members of Parliament to attend meetings of Houses of Parliament remotely.

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Constitution Amendment (Virtual Attendance) Act 2022*.

**2 Commencement**

This Act commences on the date of assent to this Act.

**3 Amendment of Constitution Act 1902 No 32**

(1) **Section 3, heading**

Omit “**Definitions**”. Insert instead “**Interpretation**”.

(2) **Section 3(2)–(4)**

Insert at the end of the section—

- (2) For sections 22H, 22I and 32, in relation to ascertaining a quorum for, or determining a question in, a House of Parliament, a Member of Parliament is taken to be present at a meeting of the House if the Member attends the meeting remotely using an audio visual link in accordance with—
  - (a) the Standing Rules and Orders of the House, or
  - (b) a resolution or sessional order of the House.
- (3) Subsection (2) has effect for a House of Parliament only if the Presiding Officer of the House has declared that—
  - (a) it will be impracticable for Members of the House to meet in person during a specified period due to a public emergency, including a public health crisis, natural disaster, major accident, civil disturbance or act of terrorism, and
  - (b) a majority of the Members of the House have requested remote attendance of the House be permitted under this section during the specified period.
- (4) A Member is taken to have made a request under subsection (3)(b) if the following person has made the request on the Member’s behalf—
  - (a) if the Member belongs to a party—the Member’s party leader,
  - (b) a Member of Parliament nominated by the Member to the Presiding Officer.