



MINUTES OF THE PROCEEDINGS

OF THE

JOINT SITTING

**OF THE HOUSES OF PARLIAMENT OF THE
STATE OF VICTORIA**

TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE PHILIP DALIDAKIS MLC,

TO ELECT THREE MEMBERS OF PARLIAMENT TO THE VICTORIAN HEALTH
PROMOTION FOUNDATION, AND

TO ELECT THREE MEMBERS OF PARLIAMENT TO THE BOARD OF THE
VICTORIAN RESPONSIBLE GAMBLING FOUNDATION.

14 August 2019

Held in accordance with the provisions of section 27A of the Constitution Act 1975, the Tobacco Act 1987 and the Victorian Responsible Gambling Foundation Act 2011.

MINUTES OF THE PROCEEDINGS
of the
JOINT SITTING
held in the
LEGISLATIVE ASSEMBLY CHAMBER

Wednesday 14 August 2019

- TO CHOOSE A PERSON TO HOLD THE SEAT IN THE LEGISLATIVE
COUNCIL RENDERED VACANT BY THE RESIGNATION OF
THE HONOURABLE PHILIP DALIDAKIS MLC,**
- TO ELECT THREE MEMBERS OF PARLIAMENT TO THE VICTORIAN HEALTH
PROMOTION FOUNDATION, AND**
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VICTORIAN RESPONSIBLE GAMBLING FOUNDATION.**

*The Members of the Legislative Council and the Members of the Legislative
Assembly having assembled in the Legislative Assembly Chamber in accordance
with the resolutions of the two Houses —*

- 1 **ELECTION OF CHAIR** — The Honourable Daniel Andrews MP moved — That the Honourable Colin Brooks MP, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting. The motion was seconded by the Honourable Michael O'Brien MP.

As no other member was proposed, the Clerk declared the Honourable Colin Brooks MP had been duly elected Chair.

The Honourable Colin Brooks MP took the Chair.

VACANCY IN THE LEGISLATIVE COUNCIL

- 2 **RULES OF PROCEDURE** — The Chair announced that section 27A of the *Constitution Act 1975* provides that this part of the joint sitting shall be conducted in accordance with rules adopted by members present at the sitting. Accordingly, the Honourable Daniel Andrews MP moved — That these rules be the rules of procedure for this part of the joint sitting —

Application of standing orders

- (1) In any matter of procedure not provided for in these rules of procedure, the standing orders of the Legislative Assembly, in force for the time being, will be followed as far as they can be applied.

Relief of Chair

- (2) A Presiding Officer, the Deputy Speaker or the Deputy President will take the Chair as Acting Chair whenever requested so to do by the Chair without any formal communication.

Time limit on speeches

- (3) No member may speak for more than five minutes on any question.

Nominations

- (4) A member, addressing the Chair, may propose a person to occupy the vacant seat in the Legislative Council and any such proposal must be seconded. When a person is nominated, the proposer must state that such person is willing to accept nomination and whether the *Constitution Act 1975 s 27A(4)* applies. This process is repeated, if necessary, until there are no further nominations, at which point the Chair declares that nominations are closed.

Questions to be proposed

- (5) The Chair will put the question 'That [nominee] be chosen to occupy the vacant seat in the Legislative Council' in relation to the person first nominated. If that motion is not agreed to in accordance with *Constitution Act 1975 s 27A(7)*, the Chair will then put the question in relation to the next person nominated. This procedure will be repeated, as necessary, for any other nominees in the order in which they were nominated.

Entitlement to vote

- (6) On every question arising in a joint sitting each member of the Legislative Assembly and of the Legislative Council, including the Chair, will have one vote.

Sitting and adjournment

- (7) A motion for the adjournment of the joint sitting may be moved by a minister and will be put immediately without amendment or debate.
- (8) A motion for the purpose of fixing the next meeting of the joint sitting may be moved by a minister at any time provided that there is no question before the Chair.

Voting on questions

- (9) Questions, other than for the purpose of *Constitution Act 1975 s 27A(5)* will be decided by a simple majority of the members present and voting.
- (10) In the event of an equality of votes on a question, the question is taken to have been defeated.
- (11) After completion of the vote, the Chair will declare the person chosen to hold the vacant seat in the Legislative Council.
- (12) The Chair will advise the Governor of the name of the person chosen to fill the vacancy.

Divisions

- (13) (a) Whenever the Chair states, on putting a question, that the 'ayes' or 'noes' (as the case may be) have it, the Chair's opinion may be challenged by a member calling for a division.

- (b) When a division is requested, the Clerk will ring the bells for three minutes as indicated by the timer.
- (c) When the bells have stopped ringing, the Chair calls for the doors to be locked. After that a member must not leave the Chamber until after the division has been completed.
- (d) When successive divisions are taken without any intervening debate, the Chair will direct that the bells be rung for one minute.
- (e) After the doors are locked the Chair restates the question and directs the ayes to the right side of the Chamber and the noes to the left side of the Chamber. The Chair appoints two or more tellers for each side.
- (f) Votes may only be cast by members present in the Chamber and every member present must vote.
- (g) If two tellers cannot be found for one side of the question, the Chair must immediately declare the resolution of the joint sitting.
- (h) The tellers count the votes and record the members' names. On receiving a report from the tellers, the Chair announces the result to the joint sitting.

Records of proceedings

- (14) The records of the proceedings and the ballot papers will be retained by the Clerk of the Parliaments who will destroy the ballot papers after one year.

The Honourable Michael O'Brien MP seconded the motion.

Question — put and agreed to.

- 3 **PERSON PROPOSED AND CHOSEN TO HOLD THE VACANT SEAT IN THE LEGISLATIVE COUNCIL** — The Chair invited proposals from members for a person to occupy the seat in the Legislative Council rendered vacant by the resignation of the Honourable Philip Dalidakis MLC.

The Honourable Daniel Andrews MP proposed Mr Enver Erdogan as the person to occupy the vacant seat. He also stated that Mr Enver Erdogan was willing to accept the nomination and that he was the selection of the Australian Labor Party, the party previously represented in the Legislative Council by the Honourable Philip Dalidakis MLC. The proposal was seconded by the Honourable Michael O'Brien MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared nominations closed.

Question — That Mr Enver Erdogan be chosen to occupy the seat rendered vacant by the resignation of the Honourable Philip Dalidakis MLC — put and agreed to.

VICTORIAN HEALTH PROMOTION FOUNDATION

- 4 **RULES OF PROCEDURE** — The Chair announced that Joint Standing Orders 19 to 22, inclusive and 24 applied to this part of the joint sitting.
- 5 **VICTORIAN HEALTH PROMOTION FOUNDATION** — The Chair invited proposals from members for the election of three members to the Victorian Health Promotion Foundation.

The Honourable Daniel Andrews MP proposed that Ms Sarah Connolly MP, Ms Bridget Vallence MP, and Mr Andy Meddick MLC be elected to the Victorian Health Promotion Foundation, and stated that they were willing to accept the nomination. The proposal was seconded by the Honourable Michael O'Brien MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Ms Sarah Connolly MP, Ms Bridget Vallence MP, and Mr Andy Meddick MLC had been elected.

VICTORIAN RESPONSIBLE GAMBLING FOUNDATION

6 **RULES OF PROCEDURE** — The Chair announced that Joint Standing Orders 19 to 22 inclusive applied to this part of the joint sitting but rules for nominations need to be adopted. Accordingly, the Honourable Daniel Andrews MP moved — That these rules for nominations be adopted —

- (1) A member, addressing the Chair, may propose a member or members to be elected to the Board of the Victorian Responsible Gambling Foundation and any such proposal must be seconded. When a member is proposed, the proposer must state that such member is willing to accept nomination.
- (2) If no more than the required number of members are proposed and seconded, the Chair will declare such members as having been elected.
- (3) If more than the required number of members are proposed and seconded in respect of the vacancies, the members will be elected by ballot.
- (4) After the ballot, the Chair will declare the member or members elected to the Board and will advise the responsible minister of the result of the election.

Question — put and agreed to.

7 **BOARD OF THE VICTORIAN RESPONSIBLE GAMBLING FOUNDATION** — The Chair invited proposals from members for the election of three members to the Board of the Victorian Responsible Gambling Foundation.

The Honourable Daniel Andrews MP proposed that Ms Maree Edwards MP, Mr Tim McCurdy MP, and Mr James Newbury MP be elected to the Victorian Health Promotion Foundation, and stated that they were willing to accept the nomination. The proposal was seconded by the Honourable Michael O'Brien MP.

The Chair asked if there were any further proposals and, there being no further proposals, declared that Ms Maree Edwards MP, Mr Tim McCurdy MP, and Mr James Newbury MP had been elected.

8 The Chair declared the joint sitting closed.

A YOUNG
Clerk of the Legislative Council

B NOONAN
Clerk of the Legislative Assembly