

**THE PARLIAMENT OF THE
COMMONWEALTH OF AUSTRALIA**

**HOUSE OF REPRESENTATIVES
STANDING COMMITTEE ON PROCEDURE**

**GREATER OPPORTUNITIES FOR DEBATE
ON REPORTS
FROM PARLIAMENTARY COMMITTEES**

Report

September 1990

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Terms of reference of the committee

To inquire into and report on the practices and procedures of the House generally with a view to making recommendations for their improvement or change and for the development of new procedures.

Members of the committee

Chairman: Hon. G G D Scholes, MP

Deputy Chairman: Mr P D Shack, MP

Members: Mr R F Edwards, MP
Mr E L Grace, MP
Mr C Hollis, MP
Mr A C Rocher, MP
Mr W E Truss, MP
Hon. F J Walker, QC, MP

Secretary: Ms R Webber

RECOMMENDATIONS

The committee endorses the recommended amendment of sessional order 102B contained in the report of the Standing Committee on Procedure on standing orders governing the conduct of committees which was presented during the 35th Parliament.

The committee recommends that the House meet at 9.30 a.m. on each sitting Thursday. Following the presentation of petitions, presentation of, and statements on, reports of parliamentary committees and delegations take precedence until 10 a.m. The resumption of debate on motions moved in relation to committee and delegation reports presented previously take precedence from 10 a.m. until 11 a.m.

The committee recommends that if there are no reports for presentation or if presentation of, and statements on, reports concludes prior to 10 a.m., debate is to be resumed on reports presented previously. If there are no orders of the day for the resumption of debate on motions moved in relation to reports of parliamentary committees or delegations, private Members' business shall take precedence.

The committee recommends that the Selection Committee determine the order of precedence and allot times for debate on committee and delegation reports.

The committee recommends that in determining the order of precedence for presentation of, and debate on, committee and delegation reports the Selection Committee give precedence to committee reports.

The committee recommends that the time for presentation of parliamentary committee and delegation reports on the last two sitting Thursdays of a sitting period may, subject to determination by the Selection Committee, be extended beyond 10 a.m.

The committee recommends that orders of the day for the resumption of debate on motions moved in relation to committee or delegation reports appear in a discrete section of the Notice Paper.

REPORT

Introduction

1. On 31 May 1990 the Standing Committee on Procedure resolved to investigate the opportunities for Members to debate reports of parliamentary committees.

2. The work of parliamentary committees is a significant part of the work of the House and its individual Members and should be recognised by the provision of adequate time to debate the reports of those committees. The committee recognises that, in order to have comprehensive and useful debates, there needs to be the opportunity for Members to study a report before major discussion takes place.

3. The committee is concerned that the time available for debate on reports from standing and select committees is inadequate and does not allow for substantial debates. At present debates on committee reports must compete for priority with items of private Members' business.

Current provisions

4. Following the recommendations of the Procedure Committee in its reports in 1986 and 1987 on *Days and hours of sitting and the effective use of the time of the House* and *Improved opportunities for private Members: proposed sessional orders*, sessional orders came into operation on 15 March 1988 allocating a specific time on Thursday mornings for the presentation and consideration of reports from parliamentary committees and delegations. The sessional orders were adopted again in the 36th Parliament on 8 May 1990.

5. The sessional orders provide for the following procedures:

- . following the presentation of petitions on Thursday mornings the presentation and consideration of committee and delegation reports has precedence until 11 a.m.;
- . the order of presentation and consideration is determined by the Selection Committee;
- . the Member presenting the report and one other committee member, subject to any determination of the Selection Committee, may be accorded priority in making statements for a maximum of 10 minutes each;
- . following the presentation of reports, orders of the day for the consideration of reports presented earlier may be called upon for consideration; and
- . if presentation and consideration of reports concludes before 11 a.m. the House proceeds to private Members' business.

In addition, standing order 102 provides for reports to be presented at any time when other business is not before the House, although at these times leave could be denied to Members wishing to make a statement.

6. Reports from some statutory committees, such as the Joint Committee of Public Accounts and the Parliamentary Standing Committee on Public Works, have continued to be presented during government business time. The committee supports this practice.

Presentation of reports

7. The current sessional orders make a general provision, subject to any determination of the Selection Committee, for 2 members of a committee to make statements of up to 10 minutes each on

presentation of a report. In practice, the Selection Committee has regularly determined that any number of committee members may make statements within a total time allotted to that report. The individual speech time limit remains at 10 minutes.

8. In its report on the standing orders governing the conduct of committees of the House presented on 30 November 1989 the Procedure Committee recommended that sessional order 102B be amended to allow more than 2 Members to make statements upon presentation of a committee or delegation report and not to preclude Members other than members of the committee or delegation from making statements.

9. **The committee endorses the recommended amendment of sessional order 102B contained in the report of the Standing Committee on Procedure on standing orders governing the conduct of committees which was presented during the 35th Parliament.**

Motions moved after presentation of reports

10. Sessional order 102C provides that the Member presenting a report on Thursday morning may move a specific motion in connection with the report (usually a motion to take note of the report), which is then adjourned until a future day determined by the Selection Committee. It is the decision of the Chairman or the Member presenting the report that determines whether or not a motion is moved at this stage.

11. The table below shows that of the 24 reports of standing and select committees presented in 1988 only 8 had motions moved in relation to them and in 1989 only 9 out of 35. Of the 17 motions moved during these two years debate was resumed on only 7 on a future occasion. The committee believes that the number of motions moved would be likely to increase if committees felt that it was probable that time for the resumption of the debate would be available on a future Thursday morning. This may be achieved by allocating additional time specifically for debating reports and ensuring that it is not used for other business.

**CONSIDERATION OF
STANDING AND SELECT COMMITTEE REPORTS
1988 - 1989**

	1988	1989
No. presented	24	35
No. of motions moved after presentation	8	9
No. of motions debated	3	4

Note:

Does not include reports of Selection Committee, Publications Committee and Committee of Members' Interests.

Time available for presentation and debate on reports

12. There is a need to reflect the work of parliamentary committees by allowing adequate time for debate on the reports in the House. The committee considers that the current provisions do not provide sufficient opportunity for the House to consider these reports and that more time should be made available.

13. In recommending that more time be made available for debate on committee reports the committee wishes to ensure that the major part of the time set aside for dealing with reports is spent on significant debates rather than on the tabling of reports. The proposed arrangements will provide less time than currently available for the presentation of reports and statements on them (from the conclusion of the announcement of petitions until 10 a.m. - usually between 15 and 25 minutes) but will allow a full hour of debate each week on reports which Members have had an opportunity to read and consider.

14. The committee considered a number of options for allocating additional time for debate on motions relating to committee reports. It was decided that extending the time on Thursday mornings was the most appropriate course as it would provide continuity of purpose

and debate during that period and allow substantial debates to take place on significant reports. The committee reiterates its view, however, that the time allotted to private Members' business should not be reduced. It therefore decided to recommend that the House meet 30 minutes earlier each Thursday.

15. **The committee recommends that the House meet at 9.30 a.m. on each sitting Thursday. Following the presentation of petitions, presentation of, and statements on, reports of parliamentary committees and delegations take precedence until 10 a.m. The resumption of debate on motions moved in relation to committee and delegation reports presented previously take precedence from 10 a.m. until 11 a.m.**

16. Under current practice when no or few reports are presented, any time before 11 a.m. not required for tabling of reports frequently has been allocated to private Members' business rather than to resumption of debate on reports presented previously.

17. The period allocated for the presentation and consideration of committee and delegation reports should not be used for private Members' business unless there are no reports for presentation and no orders of the day relating to committee reports.

18. **The committee recommends that if there are no reports for presentation or if presentation of, and statements on, reports concludes prior to 10 a.m., debate is to be resumed on reports presented previously. If there are no orders of the day for the resumption of debate on motions moved in relation to reports of parliamentary committees or delegations, private Members' business shall take precedence.**

Order of precedence and allotment of time

19. **The committee recommends that the Selection Committee determine the order of precedence and allot times for debate on committee and delegation reports.**

Precedence to committee reports

20. The work of parliamentary committees is generally more time consuming and potentially more significant than that of parliamentary delegations. Debate in the House should reflect this difference by giving precedence to discussion of committee reports over delegation reports.

21. The committee recommends that in determining the order of precedence for presentation of, and debate on, committee and delegation reports the Selection Committee give precedence to committee reports.

Extension of time for presentation

22. Towards the end of a period of sittings there is often a large number of reports to be presented. This results in a number of committees competing for a limited amount of time available for the presentation of their reports. In practice additional time has been negotiated with the Leader of the House, usually during the last week of sitting when the pressure of government business is normally less. More flexibility to deal with this fluctuation could be achieved by giving the Selection Committee the discretion to extend the time available for presentation of reports beyond 10 a.m. on the last two sitting Thursdays of each sitting period.

23. The committee recommends that the time for presentation of parliamentary committee and delegation reports on the last two sitting Thursdays of a sitting period may, subject to determination by the Selection Committee, be extended beyond 10 a.m.

Notice Paper structure

24. It would be of benefit to Members if orders of the day for the resumption of debate on motions moved in relation to committee or delegation reports could be grouped together on the Notice Paper rather than interspersed with the bulk of private Members' business.

25. The committee recommends that orders of the day for the resumption of debate on motions moved in relation to committee or delegation reports appear in a discrete section of the Notice Paper.

Proposed standing orders

26. The appendix to this report sets out a group of proposed standing orders to implement the committee's recommendations with a brief commentary on each one.

GORDON SCHOLES, MP

Chairman

18 September 1990

Appendix

PROPOSED STANDING ORDERS

Standing order

Comment

40. Unless otherwise ordered, the House shall meet for the despatch of business -

- (a) in the first sitting week, on -
Tuesday, at 2 p.m.
Wednesday, at 10 a.m.
Thursday, at 9.30 a.m., and
- (b) in the second sitting week, on -
Monday, at 2 p.m.
Tuesday, at 2 p.m.
Wednesday, at 10 a.m.
Thursday, at 9.30 a.m.

From the termination of the last sitting in the second week, the House shall stand adjourned until 2 p.m. on the third Tuesday after the termination, unless the Speaker shall, by telegram or letter addressed to each Member of the House, fix an alternative day or hour of meeting. The 4-weekly cycle will then be repeated.

101. The House shall proceed on the days indicated with its ordinary business in the following routine:

Monday and Tuesday

1. Questions without notice.
2. Presentation of papers.
3. Ministerial statements, by leave.
4. Matter of public importance.
5. Notices and orders of the day.

This standing order provides for the House to sit at 9.30 a.m. each Thursday. This will allow time to be made available for substantial debates on committee reports when Members of the House have had an opportunity to study them.

The routine of business for Thursday provides separate items for presentation of committee and delegation reports and for resumption of proceedings on reports presented previously.

Wednesday

1. Notices and orders of the day. 2. Questions without notice (at 2 p.m.). 3. Presentation of papers. 4. Ministerial statements, by leave. 5. Matter of public importance. 6. Notices and orders of the day.

Thursday

1. Presentation of petitions. 2. Presentation of reports of parliamentary committees and delegations. 3. Orders of the day for the resumption of debate on motions moved in connection with committee or delegation reports (commencing no later than 10 a.m., debate concluding no later than 11 a.m.). 4. Private Members' business (commencing no later than 11 a.m., debate concluding no later than 12.30 p.m.). 5. Grievance debate. 6. Members' statements (at approximately 1.45 p.m.). 7. Questions without notice (at 2 p.m.). 8. Presentation of papers. 9. Ministerial statements, by leave. 10. Matter of public importance. 11. Notices and orders of the day.

102. Reports of standing and select committees and papers may be presented at any time when other business is not before the House.

102A. Following the presentation of petitions each sitting Thursday parliamentary committee and delegation reports may be presented until 10 a.m. in the order determined by the Selection Committee.

It is proposed to retain this provision (current standing order 102) as it allows flexibility in the timing of presentation of reports of committees (and delegations) though Members would need to seek leave of the House should they wish to make statements.

It is proposed that presentation of committee and delegation reports and statements made in connection with them take place in the 20 to 25 minutes between the announcement of petitions and 10 a.m.

It is proposed to retain this provision (current standing order 102) as it allows flexibility in the timing of presentation of reports of committees (and delegations) though Members would need to seek leave of the House should they wish to make statements.

It is proposed that presentation of committee and delegation reports and statements made in connection with them take place in the 20 to 25 minutes between the announcement of petitions and 10 a.m.

It is proposed that presentation of committee and delegation reports and statements made in connection with them take place in the 20 to 25 minutes between the announcement of petitions and 10 a.m.

102B. Upon presentation of a report of a parliamentary committee or delegation pursuant to standing order 102A, the Member presenting the report and other Members, subject to any determination of the Selection Committee, may be accorded priority in making a statement to the House for a period not exceeding 10 minutes and a specific motion in connection therewith may be moved without notice by the Member presenting the report whereupon the debate on the question shall then be adjourned until a future day.

102C. Following the presentation of reports pursuant to standing order 102A, but commencing no later than 10 a.m., the resumption of proceedings on motions relating to committee and delegation reports shall have precedence until 11 a.m. according to the order of priority and times allotted for debate determined by the Selection Committee, each Member speaking for a period not exceeding 10 minutes or any lesser period determined by the Selection Committee:

Provided that, on the last two sitting Thursdays of a sitting period or if there are no orders of the day for the resumption of debate on motions moved in connection with reports of parliamentary committees or delegations, the time for presentation of reports pursuant to standing order 102A may, subject to determination by the Selection Committee, be extended beyond 10 a.m.

For the purpose of this standing order a sitting period is the group of sittings which takes place in the months of January to

The committee has endorsed the proposal contained in the committee's 6th report of the 35th Parliament on the standing orders governing the conduct of committees, that is, to amend the current sessional order so as not to preclude Members other than members of the committee or delegation from making statements. The committee felt that even though under its new proposals time will be available for those Members who are not members of the committee or delegation to speak when the debate is resumed, its original proposal allowed a degree of flexibility that was desirable.

The role of the Selection Committee in the resumption of debate on reports is set out in proposed standing order 102C so the reference to the Selection Committee at the end of this standing order has been omitted.

It is proposed to set aside a specific time when the House may debate committee (and delegation) reports which have been presented previously. This should ensure that all Members other than members of the committee have an opportunity to contribute to the debate. It should also mean that these debates will take place soon after the tabling of the report, perhaps the following week.

In order to allow for the usually high number of reports to be presented at the end of a period of sittings, it is proposed to allow the time for presentation to be extended on the last two sitting Thursdays of a sitting period. Apart from this the time may only be extended if there are no motions relating to committee or delegation reports on the Notice Paper.

July or August to December in any one year.

102D. The resumption of debate on proceedings under standing order 102C shall be made an order of the day for a future day under private Members' business whenever:

- (a) consideration of any question has not concluded at the time appointed by the Selection Committee or at 11 a.m. when debate shall be interrupted; or
- (b) consideration is concluded before the expiry of the time allocated or before 11 a.m. and the Selection Committee has determined that consideration of the matter should continue on a future day.

104. Government business shall, on each day of sitting, have precedence of private Members' business except that, on each sitting Thursday, private Members' business shall have precedence of government business from the conclusion of consideration of committee and delegation reports but commencing no later than 11 a.m. and debate concluding no later than 12.30 p.m.

At the conclusion of consideration of private Members' business, the Speaker shall put forthwith and successively, without further debate or amendment, any questions on which a division had been called for earlier in the day, and which had been deferred pursuant to standing order 193.

347. The report of a committee, together with the minutes of the proceedings, shall be presented to the House by a member of the committee, and the report may be read.

The provisions for the interruption and adjournment of debate contained in current sessional order 102C have been expanded to provide for occasions when consideration is concluded before the expiry time or before 11 a.m. These provisions have been placed in a separate standing order - 102D.

No change is proposed to this sessional order. The committee feels that the current wording adequately covers the proposed provisions for separate periods for presentation and statements and for debating reports presented previously.

No change is proposed to this provision.

348. Upon the presentation of a report, the report may be ordered to be printed with or without the documents accompanying it, and its consideration may be set down for a subsequent sitting when a specific motion without notice in connection therewith may be moved.

It is proposed to retain this provision as it provides for the printing of a report and allows flexibility, especially in dealing with reports of particular committees such as the Privileges Committee.