



NO. 8—CATEGORIES OF BUSINESS

Why do I need to know about categories of business?

The priority that is given to items of business, and the place they are listed on the Senate *Notice Paper* and the Order of Business ('the Red'), are largely determined by the category of business into which an item falls. An understanding of the categories of business will assist in understanding the routine of business the Senate follows on a day-to-day basis and in understanding and using the Red and the *Notice Paper*.

What is the routine of business?

The standing orders of the Senate set out the rules by which the Senate operates. Included in these rules is the routine of business – that is, the times the Senate will meet, what business it will consider and in what order it will be considered. The ordinary routine of business is spelled out in [standing order 57](#) and is summarised in the table.

Many items are given a particular place in the routine of business, either occurring at a stated time or following directly upon the conclusion of other items. These include Question Time, Matters of Public Interest and Urgency Motions (see [Brief Guide No. 10—Matters of Public Importance and Urgency debates](#)), the presentation and consideration of various types of documents (see [Brief Guide No. 3—Opportunities for debating documents and reports](#)). Peppered among these other items are references to 'Government Business' and 'General Business'.

What is meant by 'business'?

The use of the term 'routine of business' refers to 'business' in a broad sense but 'business' also has a specific parliamentary meaning. When the standing orders refer to 'the business of the day' it is a reference to the Senate considering items that fall within the specific categories discussed below. Consideration of 'business' in this specific sense accounts for more than 75% of the Senate's time.

Items are listed for consideration according to the category of the business into which they fall. The rules relating to the various categories of business affect when and how items are dealt with.

Categories of business

There are three main categories of business:

- Business of the Senate, which is defined in [standing order 58](#);
- Government Business, which is business initiated by a minister; and
- General Business, which is all other business initiated by senators who are not ministers.

Business of the Senate is defined in standing order 58. The most common items arising under Business of the Senate are disallowance motions (see [Brief Guide No. 1—Disallowance](#)); motions to refer matters to standing committees (see [Brief Guide No. 7—Referring Matters to Committees](#)); and orders for the presentation of committee reports. Motions concerning leave of absence for senators and motions concerning the qualification of senators under the Constitution also fall within this category. The Senate can also order that other items be considered as Business of the Senate items on an ad hoc basis. For example, when a report of the Procedure Committee is presented it is now common for a motion to be moved proposing that consideration of the report be made a Business of the Senate order for another day.

Government Business is business initiated by (or on behalf of) a minister or a parliamentary secretary. The majority of this business consists of government legislation. A minister or parliamentary secretary can also move motions in a private – rather than a ministerial – capacity, in which case the business will fall into the appropriate category according to its subject matter. In each of the past 3 years, 57% of the Senate's time has been spent in the consideration of Government Business.

General Business consists of all other business initiated by senators who are not ministers or parliamentary secretaries and which doesn't fall into any other category.

There is a fourth category of business – **Matters of Privilege** – which is not extensively dealt with here as it applies only to a very specific set of circumstances. It consists of proposals to refer matters to the Senate Committee of Privileges. An item will fall into this category only if the President has determined that a matter properly raised with him should have special priority (or 'precedence') under standing order 81. Matters of Privilege, when listed on the *Notice Paper*, have priority over all other business on the *Notice Paper*. These issues are dealt with comprehensively in [Brief Guide No. 13—Privilege – Right of Reply and Raising Matters of Privilege](#).

Notices and orders

Within each category there are two types of business, notices of motion and orders of the day.

A **notice of motion** indicates a senator's intention to move a particular motion on a particular day (see [Brief Guide No. 2—Notices of motion](#)). Notices are placed on the *Notice Paper* under the relevant category of business in the order in which they are given. Notices of motion are usually considered before orders of the day, although the Government has the right to place its notices of motion and orders of the day on the *Notice Paper* as it sees fit. Where a motion is moved but not finally determined – that is, the debate is adjourned or interrupted by other business – the continuation of the debate on the motion becomes an order of the day for a later time.

An **order of the day** is an item of business that the Senate has set down for consideration on a particular day. The most common orders of the day are orders to continue a debate adjourned on a previous day, orders requiring the presentation of committee reports, orders to commence the next stage of consideration of legislation and orders for the consideration of messages received from the House of Representatives.

Precedence and the consideration of business

As a practical matter there is typically far more business listed for consideration than there is time available for the Senate to consider it. The standing orders therefore provide a set of rules for determining the priority (or 'precedence') which is given to the various categories of business.

As a general rule, items of business take precedence as follows:

- 1 Business of the Senate.
- 2 Government Business.
- 3 General Business.

A number of standing orders, however, refine these rules and create specific exceptions. These have effect as follows:

Business of the Senate items take precedence over all Government Business and General Business ([standing order 58](#))

In the normal course of events, Government Business is listed for consideration on Monday, Tuesday and Wednesday afternoons after question time and the consideration of certain other items, and on Thursday mornings. On these occasions Government Business will not be called on

until any Business of the Senate items listed for that day are determined (that is, voted upon, postponed to another day or adjourned).

The routine of business also sets aside times for 'Government Business **only**', namely, Mondays and Tuesdays from 12:30 pm to 2 pm and Wednesdays from 9:30 am to 12:45 pm. During this time the normal rules of precedence do not apply and Government Business will be called on regardless of any Business of the Senate items or Matters of Privilege. Motions to vary the days or hours of sitting often specify that 'government business only' be considered for particular hours or, indeed, days.

Government Business takes precedence over General Business

In the ordinary routine of business, once any Business of the Senate items are determined, Government Business will be called on for consideration. The only exception to this is that General Business takes precedence over Government Business for up to 2½ hours at a time set aside on Thursday afternoons ([standing order 57](#), [standing order 59](#)).

Ministers have the power under [standing order 65](#) to arrange the order of Government Business on the *Notice Paper* from day to day as they see fit. They can also move motions to rearrange the order in which Government Business items will be considered. These powers generally allow the Government to determine the priority of items for consideration during Government Business time.

Consideration of General Business

Consideration of Government Business has priority over General Business with the exception of Thursday afternoons, as described above. This exception merely has the effect of switching the positions of Government and General Business in the order of precedence for the specified period. Business of the Senate items must still be determined before General Business can be called on.

The particular items of General Business to be considered at this time are determined between the various non-government senators and a motion to provide for their consideration is moved by the Manager of Government Business. If this did not occur, the Senate would consider General Business during this time in the order in which it is listed on the *Notice Paper*. Time is also made available during this period (commencing no later than 6 pm) for the consideration of the Government Documents listed on the *Notice Paper* (see [Brief Guide No. 3—Opportunities for debating documents and reports](#)).

Because General Business has a lower priority than the other categories of business it is, in a practical sense, never called on in the ordinary course of business, except during this brief period on Thursday afternoons. Consequently, the majority of General Business items considered by the Senate are brought forward using special procedures, notably the discovery of formal business (see [Brief Guide No. 2—Notices of motion](#)) and the moving of motions by leave or pursuant to a suspension of standing orders (see [Brief Guide No. 5—Suspension of Standing Orders](#)).

Need assistance?

For assistance with any of the matters covered by this guide, government senators or their staff should contact the Clerk Assistant (Table), on extension 3020; and non-government senators or their staff should contact the Clerk Assistant (Procedure), on extension 3380.

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This publication is available electronically at <http://www.aph.gov.au/senate/pubs/guides/index.htm>.

The ordinary routine of business in the Senate

as set out in standing order 57 and related orders

<p>Mondays: <i>Senate meets from 12.30 pm</i> 12.30 pm: Government Business only 2 pm: Questions Motions to take note of answers Petitions Notices of motion Postponement and rearrangement of business Formal motions - discovery of formal business Matter of public importance or urgency motion Government Business* 6.30 to 7.30 pm: dinner suspension 9.50 pm: Adjournment proposed 10.30 pm: Adjournment.</p>	<p>Tuesdays: <i>Senate meets from 12.30 pm</i> 12.30 pm: Government Business only 2 pm: Questions Motions to take note of answers Petitions Notices of motion Postponement and rearrangement of business Formal motions - discovery of formal business Matter of public importance or urgency motion Government Business* 6.50 pm: Consideration of government documents 7.20 pm: Adjournment proposed Adjournment.</p>
<p>Wednesdays: <i>Senate meets from 9.30 am</i> 9.30 am: Government business only 12.45 pm: Matters of public interest 2 pm: Questions Motions to take note of answers Petitions Notices of motion Postponement and rearrangement of business Formal motions - discovery of formal business Matter of public importance or urgency motion Tabling and consideration of committee reports Government Business* 6.50 pm: Consideration of government documents 7.20 pm: Adjournment proposed 8 pm: Adjournment.</p>	<p>Thursdays: <i>Senate meets from 9.30 am</i> 9.30 am: Petitions Notices of motion Postponement and rearrangement of business Formal motions - discovery of formal business Tabling and consideration of committee reports Government Business* 2 pm: Questions Motions to take note of answers Matter of public importance or urgency motion Not later than 4.30 pm: General Business* Not later than 6 pm: Consideration of government documents under General Business Not later than 7 pm: Consideration of committee reports, government responses and Auditor-General's reports Not later than 8 pm: Adjournment proposed Not later than 8.40 pm: Adjournment.</p>

* ***Matters of Privilege and Business of the Senate items listed on the Notice Paper will take precedence.***