



NO. 18—SENATE CHAMBER DOCUMENTS

This brief guide describes the formal *documents of record* of the Senate and other documents used in the Senate Chamber in the course of business. Most of the documents are available in hard copy from the Senate Table Office or electronically from the Senate [website](#).

1. *The Basics*

The Senate's operating rules are contained in [standing orders](#) which govern the conduct of proceedings. The standing orders are supplemented by other orders and resolutions relating to:

- [parliamentary privilege](#)
- the registration and declaration of [senators' interests](#)
- the [broadcasting](#) of Senate and committee proceedings
- a number of [miscellaneous procedural matters](#)
- orders of the Senate on the [Notice Paper](#)

Standing orders are made and amended from time to time by the Senate under the authority of [section 50](#) of the Constitution. Proposed changes to standing or other orders are usually examined first by the Procedure Committee which reports periodically to the Senate.

Standing orders cover a wide range of topics, from the election of the President to the composition of and rules for committees, the handling of legislation, the rules of debate, the routine of business and the conduct of senators. They are supplemented by other, miscellaneous procedural orders. When a procedural question arises that is not covered by the standing or other orders, the President of the Senate makes a ruling. If the President's ruling is challenged, the Senate itself determines the question.

Within the framework of the routine of business set by the standing orders, the Senate's proceedings are guided by an agenda and recorded in minutes and a transcript of debate. The agenda is called the *Notice Paper*, the minutes the *Journals of the Senate* and the transcript of debate the *Parliamentary Debates* or *Hansard*. Publication of all three documents is authorised by [standing order 43](#).

—*Notice Paper*

The Notice Paper contains a list of business before the Senate on a particular day, and also includes known forthcoming business and other useful information. Business is placed on the *Notice Paper* in accordance with the standing orders. For example, items of business are grouped in their several categories which are listed in order of priority as required by [standing order 58](#) (See [Brief Guide No. 8—Categories of Business](#)). [Standing order 62](#) specifies how orders of the day for debate on committee reports and government responses are to be listed on Thursdays (see [Brief Guide No. 3—Opportunities for debating documents and reports](#)). Notices of motion and orders of the day are listed separately and in accordance with standing orders [76](#) and [97](#). The contents page of the *Notice Paper* and the "[Guide to the Notice Paper](#)" published at the back of each issue give an overview of the structure of the document and provide assistance to users.

—*The "Red"*

The [Order of Business](#) or Senate "Red", after the red flash printed on its front page, is an informal version of the agenda. This is an invaluable document for senators and staff alike because, although it is only a guide, the Red sets out the full day's likely program. Based on the routine of business for that day in the standing orders, the Red incorporates lists of business from the *Notice Paper* where appropriate and also includes known details of expected business, such as the titles of documents or reports to be tabled that day. Otherwise unscheduled items are also included where details are known sufficiently in advance, such as messages from the House of Representatives, the topics of ministerial statements, committee reports and government responses.

A dynamic version of the Red is available online to authorised users of the parliamentary computing network. The Dynamic Red provides information on the outcomes of the various items of business as the day progresses, together with links to relevant documents.

—Journals of the Senate

The Senate's minutes are a procedural record of the day, noting each decision, vote, tabled document or other procedurally significant event. Each *Journal* concludes with a record of attendance to ensure compliance with [section 20 of the Constitution](#), which provides that a senator's place becomes vacant if he or she is absent without leave for 2 months. The *Journals* are issued in proof form at the end of each sitting day and a final version is published some weeks later when the contents have been rigorously checked.

—Senate Daily Summary

An informal version of the *Journals*, called the [Senate Daily Summary](#) (SDS) is mainly directed at external audiences to make the work of the Senate more widely accessible. In SDS, the previous day's work is described under general headings such as "Legislation", "Committees", "Documents" and "Motions agreed to", bringing together for easy reference items that would otherwise need to be collated from the spread of entries in the *Journals*. SDS is an online document with hyperlinks to primary sources such as the *Journals*, *Hansard* and the texts of bills and reports.

—Hansard

Hansard is the edited transcript of proceedings in both Houses and their committees. For the Houses, proof Hansards are produced after each day's sitting. These are then consolidated into weekly Hansards. [Hansard](#) is also available in electronic form through the Internet in PDF or HTML format.

2. Documents relating to the legislative process

—Bills

The central document for the purposes of the legislative process is the *bill*. A bill is a proposed Act of Parliament which becomes law only after it has been agreed to in identical terms by both Houses and assented to by the Governor-General. Most bills are proposed by the government of the day. As soon as bills are introduced, printed copies are distributed and the electronic text is placed on [Billsnet](#).

—Explanatory memoranda

Each government bill is accompanied on introduction by an *explanatory memorandum* (or EM for short). This document is meant to be a user's guide to the bill which explains its general policy and financial impact, followed by detailed explanations of the individual clauses or items. If a bill is amended by the initiating House, a *revised* EM incorporating the changes is tabled when the bill is introduced in the second House.

If the interpretation of a provision in an Act arises in legal proceedings, courts may use the explanatory memorandum and other *extrinsic aids*, that is, materials which do not form part of the Act, to confirm or determine the meaning of the provision if there is any ambiguity. Other extrinsic aids include section headings and notes printed in the Act, the parliamentary debates, particularly the Minister's second reading speech, and relevant parliamentary committee or other reports that were tabled in Parliament before the bill was considered.

—Amendments

Amendments are circulated in the chamber on the authority of the senator or minister sponsoring them. Non-government senators are assisted by the Clerk Assistant (Procedure) in drawing up their amendments while government amendments are usually produced by the government drafters (the Office of Parliamentary Counsel). Amendments are usually produced as A4 sized documents with a unique identifying number in the top right hand corner, the name of the bill, the name of the senator moving them and the stage at which they are to be moved. Textual amendments are made in committee of the whole but a senator may also wish to amend the second reading motion.

—Requests

Requests look very similar to amendments in presentation but they are procedurally different. Under the Constitution there are some bills the Senate may not amend and some amendments the Senate may not make. The Senate *requests* the House of Representatives to make such amendments and withholds agreement to the third reading of the bill till an agreed outcome is achieved (see [Brief Guide No. 9—Consideration of Legislation](#)). An order of the Senate requires requests to be accompanied by a statement explaining why the amendments are framed as requests, and a statement by the Clerk of the Senate on whether the amendments would be regarded as requests under the precedents of the Senate.

—Supplementary explanatory memoranda

Government amendments and requests are normally accompanied by a supplementary EM explaining the proposed changes. The supplementary EM is usually tabled by a minister or parliamentary secretary at the beginning of the committee of the whole stage. If more government amendments or requests are circulated, new supplementary EMs are prepared and are distinguished from earlier documents by the inclusion of terms such as “further” or “additional” (or both) in the title.

—The Running Sheet

An informal but invaluable aid to proceedings in committee of the whole, the running sheet is a marshalled list of circulated amendments for the guidance of the chair and participating senators and their advisers. Running sheets give a brief description of each amendment or group of amendments and provide a suggested order of proceeding. They also highlight where circulated amendments may conflict with one another and if amendments are consequential on others being agreed to. They are prepared only if complex amendments are circulated by two or more senators. If further or revised amendments are circulated, running sheets are updated, if practicable, to reflect the changes. Running sheets are prepared solely for use in the chamber. They may change rapidly and are not, therefore, published on the Internet. Copies may be obtained from the Senate Table Office or Chamber Attendants and are easily identified because they are printed on grey, A4 sized paper.

For further information about the legislative process, see [Brief Guide No. 9—Consideration of legislation](#) and [Brief Guide No. 15—Communications between the Houses—dealing with messages](#).

3. Procedural and other documents

Certain other documents are distributed in the Senate chamber to facilitate proceedings. Some are for the use of individual senators, others for general use.

—Documents for individual senators

Procedural scripts are provided, as required, to assist senators to transact business. They may relate to the giving of notices of motion, the discovery of formal business, the introduction of bills, the suspension of standing orders, the presentation of reports or other common or uncommon procedures. A document, based on the Red, together with other briefings and updates as required, is also provided to the President, Deputy President and the Temporary Chairs of Committees to assist them in the chair.

—Documents for general use

Several different kinds of documents are presented to the Senate on a daily, or regular basis (See [Brief Guide No. 12—Documents](#)). The Clerk presents many documents that are required by law to be tabled. Most of these are regulations and other disallowable instruments (see [Brief Guide No. 1—Disallowance](#)). A list is distributed in the chamber before tabling, and following the tabling is included in the *Journals* under “Documents”. Debate on such documents is rare and may occur only by leave (see [Brief Guide No. 3—Opportunities for debating documents and reports](#)).

Government documents, most of which are reports from government departments or agencies, are usually presented immediately after the sittings commence on Tuesdays and Wednesdays (see [Brief Guide No. 12—Documents](#)). Half an hour from 6:50pm on these days is set aside for their debate with up to an hour available for further debate on Thursdays. A list of government documents for a particular day is included at the end of the “Red” and appears in the *Journals* under “Government Documents”. On the first day after a non-sitting period, the “Red” also lists any government documents that were presented while the Senate was not sitting.

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>.