

HOUSE *of* REPRESENTATIVES

GUIDE *to*
PROCEDURES

THIRD EDITION

JUNE 2008

DEPARTMENT OF THE HOUSE OF REPRESENTATIVES
CANBERRA

© Commonwealth of Australia 2008

ISBN 978-0-642-79046-0 (Printed version)

ISBN 978-0-642-79047-7 (HTML version)

Cover design by Lisa McDonald
House of Representatives Publishing Office
Printed by CANPRINT

Preface

The *Guide to Procedures* is a concise yet comprehensive introduction to the procedures of the House of Representatives, intended for participants in and observers of proceedings in the Chamber of the House and the Main Committee.

House of Representatives Practice is the definitive text on the parliamentary law, procedures, and practice of the House of Representatives. The *Guide to Procedures* does not go into such detail, nor does it include as wide a range of subject matter. Thus, for example, topics such as parliamentary privilege and committees are covered here only in as much as they become involved in proceedings in the Chamber.

This third edition of the *Guide to Procedures* refers to the revised standing orders as at 12 March 2008.

Contents

	<i>Page</i>
Preface.....	iii
Contents.....	v
1. THE STANDING ORDERS.....	1
Changing the standing orders.....	1
Suspending the standing orders	1
Leave of the House	2
2. THE SPEAKER.....	4
Functions	4
Chair of the House	4
Representation	4
Administration	4
Election	4
Vacancy in office.....	5
Deputy Speaker and Second Deputy Speaker	5
Election	6
Speaker's panel	6
3. THE CHAMBER.....	7
Seating.....	7
The Mace.....	7
Bar of the House	7
Galleries	8
Distinguished visitors	8
Distinguished visitors' gallery	8
Special visitors' gallery.....	8
Senators.....	8
Speaker's gallery.....	9
Public galleries.....	9
Press gallery.....	9
Enclosed galleries	9
Visitors	9
Broadcasting of proceedings.....	10
Radio.....	10
Television.....	10
Internet	10
The Main Committee	10
4. SITTINGS OF THE HOUSE AND ORGANISATION OF BUSINESS.....	12
Sittings of the House—terminology	12

Days and hours of sitting	13
Sittings of the Main Committee	13
Meeting of the House	14
Adjournment of sitting	14
Restriction on new business	15
Quorum	15
Lack of quorum at time of meeting	15
Lack of quorum on division.....	16
Quorum called for by Member	16
Quorum count deferred.....	16
Adjournment or suspension of House because of lack of quorum	16
Quorum in the Main Committee	17
Attendance of Members	17
Leave of absence.....	17
Opening of a new Parliament.....	17
Opening of a new session	18
Address in Reply debate	19
Order of business	19
Government business—Notices and orders of the day	20
Other business.....	20
5. HOUSE DOCUMENTS—AGENDA AND RECORD.....	21
Notice Paper	21
Business section.....	21
Questions in writing section	22
Information section.....	22
Daily Program	22
Votes and Proceedings	23
Hansard	24
Incorporation of unspoken matter	24
Editing and corrections	25
Internet access to House documents	25
6. RULES OF DEBATE	26
When Members may speak.....	26
Reservation of right to speak	26
Member not to speak twice.....	26
Speaking on amendments	27
Speaking after question put	27
Matters not open to debate.....	27
Misrepresentation of Member’s speech.....	28
Personal explanations	28
Indulgence of the Chair	29
Statements by leave	29
Allocation of the call.....	29

Time limits for debates and speeches	30
Speech time limits.....	30
Manner of speech	31
Members to stand and address Chair.....	31
Place of speaking	32
Reading of speeches	32
Decorum	32
First speech	32
Content of speeches	33
Relevancy in debate.....	33
Exceptions to relevancy rule.....	33
Reference to other Members	33
Anticipation of discussion	33
Reference to previous debate or proceedings.....	34
Offensive or disorderly words	34
Reflections upon votes of House.....	35
Sub judice convention	35
Interruption and adjournment of debate.....	35
Interruption of Member speaking.....	35
Interventions	36
Interjections	36
Closure of Member.....	36
Closure of question.....	37
Motion to call on business of the day	37
Motion to take ballot now.....	37
Adjournment of debate	37
Points of order	38
Ruling.....	39
Dissent from ruling.....	39
7. DISORDER.....	40
Disorderly conduct.....	40
Response by Speaker	40
Order to leave the Chamber.....	40
Naming and suspension.....	40
Gross disorder by a Member needing urgent action.....	41
Suspension of sitting or adjournment because of grave disorder.....	41
Disorder in the Main Committee.....	41
Member ordered to attend House	42
Disturbances by visitors.....	42
8. MOTIONS.....	43
Notice	43
Giving notice	44
Moving the motion	45

Interruptions to the moving of a motion.....	45
Seconding	45
Question proposed by the Chair—debate.....	46
Withdrawal of question.....	46
End of debate—question put	46
Amendments	46
Relevance.....	47
Disallowed amendments.....	47
Availability of amendment	47
Moving and seconding	48
Withdrawal of amendment	48
Amendments to amendments	48
Question on amendment.....	49
Debate	49
Amendments to bills.....	49
Special types of motion.....	49
Motion to suspend standing orders.....	49
Motion of condolence	50
Motion of thanks.....	50
Censure or no confidence motion.....	50
Motion to discuss matter of special interest	51
9. DIVISIONS.....	52
Decision on the voices	52
Decision in the Main Committee.....	52
Only one Member calling for a division.....	52
Bells.....	52
Doors locked	53
Four or fewer Members on a side	53
Appointment of tellers	53
Voting	53
Successive divisions.....	54
Repeated division.....	54
Casting vote of Chair	54
Deferred divisions on Mondays and Tuesdays	55
Proxy votes.....	55
Pairs.....	55
10. BILLS—GENERAL	56
Form of a bill—procedurally relevant aspects.....	56
Printing and availability of bills	57
Presentation of bills for assent	57
11. ORDINARY BILL PROCEDURE	59
Stages of bills—summary	59

Initiation and first reading	59
Referral to Main Committee	60
Proceedings in the Main Committee	60
Referral to a standing or select committee.....	61
Referral	61
Committee membership when bills referred	62
Advisory report by standing committee	62
Second reading	62
Moving and second reading speech.....	62
Resumption of debate on second reading.....	63
Nature of debate—relevance	64
Second reading amendment.....	64
Determination of question for second reading	66
Proceedings following second reading	66
Governor-General’s message.....	66
Leave to move third reading immediately	66
Consideration in detail	66
Debate	67
Amendments	67
Questions put	67
Reconsideration	68
Report stage (for bills considered by Main Committee)	68
Questions put	69
Third reading	69
Procedural variations.....	70
Cognate debate and bills taken together	70
Limitation of debate (guillotine).....	70
Private Members’ bills	71
Senate bills	72
Constitution alteration bills.....	72
12. FINANCIAL LEGISLATION.....	74
Parliamentary control of government finances.....	74
The financial initiative of the Government and the financial powers of the two Houses	74
Appropriation and supply bills.....	74
Main appropriation bills	75
Additional appropriation bills.....	75
Supply bills	75
Advances to the Minister for Finance and Administration and Presiding Officers.....	76
Appropriation and supply bill procedure	76
The Budget.....	76
Appropriation Bill (No. 1)	76

Appropriation Bill (No. 2) and Appropriation (Parliamentary Departments) Bill.....	78
Budget documents and related legislation.....	78
Additional appropriation bills and supply bills	79
Special appropriation bills	79
Special appropriation bill procedure.....	80
Taxation bills	80
Taxation bill procedure.....	81
Tariff proposals and tariff amendment bills.....	81
13. BILLS—SENATE CONSIDERATION	83
Passage by Senate and Senate amendments	83
Transmission to Senate.....	83
Return to House—consideration of Senate amendments.....	83
Negotiation by message.....	84
Requested amendments	84
Pressed requests	85
Senate amendments which, in the view of the House, should have been made as requests	85
Continued disagreement between the Houses	86
Double dissolution.....	86
Joint sitting.....	87
Disagreements over constitution alteration bills	87
14. DELEGATED LEGISLATION—DISALLOWANCE AND APPROVAL	89
Disallowance.....	89
Disallowance procedures in the House.....	90
Approval	90
15. PROVIDING INFORMATION TO THE HOUSE	92
Ministerial statements	92
Documents	92
Presentation to House	92
Motions on presentation	94
Debate on documents presented	94
Distribution and publication	95
Questions seeking information	96
Rules applying to questions.....	96
Rules applying to answers	97
Oral Questions	97
Questions in writing.....	99
16. NON-GOVERNMENT BUSINESS.....	101
Order of business on Mondays	101
Committee and delegation reports	101
Private Members' business.....	102

Private Members' motions.....	102
Private Members' bills.....	102
Whips role.....	103
Members' statements.....	103
Grievance debate.....	104
Adjournment debate.....	104
Adjournment debate in the Main Committee.....	105
Budget debate.....	105
Address in Reply debate.....	106
Matter of public importance.....	106
17. PETITIONS.....	108
Presentation.....	108
Subsequent action by House.....	108
Responses by Ministers.....	109
Rules on form and content.....	109
What must be in a petition.....	109
How a petition should be prepared.....	109
Rules about signatures.....	110
18. COMMITTEES.....	111
House of Representatives committees.....	111
General purpose standing committees.....	111
Domestic or internal committees.....	112
Select committees.....	112
Joint statutory committees.....	113
Other joint committees.....	113
Motions relating to committees.....	114
Appointment of Members.....	114
Presentation of committee reports.....	114
Publishing of report when House not sitting.....	115
Standing orders relating to the operation of committees.....	115
Witnesses.....	116
19. PRIVILEGE.....	117
The privilege of freedom of speech.....	117
Citizens' right of reply.....	117
Other privileges.....	118
Contempt.....	118
Raising a matter of privilege in the House.....	118
Matter raised when House not sitting.....	119
Report by the Committee of Privileges and Members' Interests.....	119
Index.....	121
Other publications about the procedures of the House of Representatives.....	126

