

## 2. THE SPEAKER

### Functions

#### *Chair of the House*

The Speaker chairs or presides over the sittings of the House. In this role his or her principal functions are to keep order and enforce the rules of debate, call Members to speak, propose the question from the Chair for debate, put the question at the conclusion of the debate and declare the decision of the House, rule on points of order, conduct divisions, and exercise a general supervision over notices, questions seeking information and other matters connected with the House and its business.

#### *Representation*

The Speaker is the spokesperson for the House in its relations with the other constituent parts of the Parliament—the Senate and the Sovereign (represented by the Governor-General), the other arms of government—the Executive and the Judiciary, and with other outside bodies and persons. On formal occasions the Speaker represents the House and plays a central ceremonial role.

#### *Administration*

The Speaker has overall responsibility for the provision of services to Members in Parliament House and for the administration of the Department of the House of Representatives. In conjunction with the President of the Senate, he or she has overall responsibility for the administration of services provided jointly to both Houses and for the control and management of the parliamentary precincts.

### Election

The first duty of a new House following a general election, after Members have been sworn in, is to elect its Speaker (S.O. 4). Until a Speaker is elected, the Clerk acts as Chair of the House (S.O.s 4(c)(e), 10(b)). The procedure for election of a Speaker is laid down in detail by standing order 11.

A Member, addressing the Clerk, proposes a Member as Speaker. The motion is seconded and the Member proposed is required to say whether he or she accepts nomination. The mover and seconder may speak in support of their candidate for five minutes each.

If there is only one proposal, no further debate is allowed and the Clerk immediately declares the Member to have been elected as Speaker.

If more than one Member is proposed as Speaker, debate relevant to the election may take place, each speech being limited to five minutes duration.

During debate a Minister may move at any time ‘That the ballot be taken now’ and that question is put immediately by the Clerk. If, on division, the numbers are equal, the question is decided in the negative as, until a Speaker is elected, there is no provision for a casting vote.

After debate concludes the House proceeds to a ballot in which Members write on a ballot paper the name of the candidate for whom they wish to vote. The votes are counted by the Clerks at the Table, and if there are only two candidates, the candidate with the greater number of votes is declared by the Clerk to have been elected.

Standing order 11 also provides procedures to meet situations when there are more than two candidates—there has been no instance of this—and when a ballot is inconclusive by reason of an equality of votes. A candidate may, between ballots, withdraw his or her name from the election, which then proceeds as if he or she had not been nominated. If a withdrawal leaves only one candidate, he or she is immediately declared elected.

The elected Member (traditionally with a show of reluctance) is conducted to the Chair by the mover and seconder and, from the upper step, makes acknowledgment of his or her appointment. The new Speaker then takes the Chair, at which point the Mace is placed on the Table. At this stage it is usual for party leaders and others to offer their congratulations, for which the Speaker returns thanks.

### **Vacancy in office**

If the office of Speaker falls vacant during the life of a Parliament, the Clerk reports the fact to the House and a new Speaker is elected in accordance with the procedures described (S.O. 19).

### **Deputy Speaker and Second Deputy Speaker**

During a sitting the Speaker may be relieved in the Chair by the Deputy Speaker, the Second Deputy Speaker, or by one of the members of the Speaker’s panel (*see p. 6*) (S.O.s 16(b)(c), 17).

In the unavoidable absence of the Speaker from a meeting of the House, for a day or over a period, the Speaker’s duties in relation to proceedings in the House and under the Constitution are performed by the Deputy Speaker as Acting Speaker or, if the Deputy Speaker is also absent, the Second Deputy Speaker as Acting Speaker. In the unavoidable absence of all three, a Member

may be elected to perform the duties of Speaker during that absence, or alternatively the House stands adjourned until the next sitting day (S.O.18).

In the absence of the Deputy Speaker, the Second Deputy Speaker acts as Deputy Speaker (S.O. 16(c)).

In addition to the function of Speaker's deputy, the Deputy Speaker has specific responsibility for chairing the Federation Chamber (S.O. 16(b)). In the Federation Chamber he or she has powers to regulate the conduct of business similar to those the Speaker has in the House (S.O.s 60(b), 187).

### ***Election***

At the beginning of a Parliament the Deputy Speaker and Second Deputy Speaker are elected in the ballot for the Deputy Speakership, with the Member with the highest number of votes becoming the Deputy Speaker and the Member with the next highest number of votes becoming the Second Deputy Speaker (S.O.s 13, 14). Only a non-government Member may be elected as Second Deputy Speaker (S.O. 13(c)).

If only one Member is nominated, that Member is declared Deputy Speaker and the House may leave the office of Second Deputy Speaker vacant or may in the future agree to a motion to conduct a ballot for the office (S.O. 14(b)).

The procedure for the election of the Deputy Speaker and Second Deputy Speaker is similar to that for the election of Speaker, except that the Speaker and not the Clerk presides. The Speaker has a casting vote when there is an equality of votes in a ballot between two Members.

### **Speaker's panel**

At the start of every Parliament, the Speaker nominates a panel of not less than four Members to assist the Chair, any one of whom may, on request by the Speaker or Deputy Speaker take the Chair of the House as Deputy Speaker, or on request by the Deputy Speaker take the Chair of the Federation Chamber (S.O. 17). Nominations may be revoked or added to during the Parliament.

In practice about ten Members are nominated (usually from both sides of the House, those from the government side being in the majority). A roster is maintained for occupants of the Chair. If disorder arises when a member of the Speaker's panel is presiding, the Speaker, Deputy Speaker, or Second Deputy Speaker will often resume the Chair.