

## *The Federation Chamber*

### Introduction

The Federation Chamber is an alternative venue to the Chamber of the House for debate of a restricted range of business—principally the second reading and consideration in detail stages of bills, and resumption of debate on motions moved in the House (generally relating to committee and delegation reports and documents). The Federation Chamber operates in parallel to the Chamber of the House to allow two streams of business to be debated concurrently.

The Federation Chamber was established in 1994 with the title ‘Main Committee’. Despite the change of name in 2012 it is still technically a committee of the House. However, it is purely a debating committee. It is not an investigatory committee and does not hear witnesses or take evidence. For further discussion of the history of the Federation Chamber and its status as a committee *see* page 790.

### Location and description

The Federation Chamber meets in the largest of the House of Representatives committee rooms on the second floor of Parliament House. This room has been dedicated to its role and is fitted out in a small-scale chamber setting. Like the Chamber of the House the Federation Chamber has a horseshoe shaped seating configuration. Seating is provided for 38 Members, and there is room for additional seating if required. Members do not have fixed seats, but in practice government and non-government Members almost always sit on the right and left of the Chair respectively. There are galleries (at floor level) for advisers, the media and the public. Proceedings are televised on ParlTV.

### Meeting and adjournment

Although the Federation Chamber is permitted to meet at any time during a sitting of the House<sup>1</sup> (including during a suspension of the House), in practice it does not meet during Question Time or at other times when all or most Members’ presence might be expected in the House. The Deputy Speaker sets the meeting times for the Federation Chamber,<sup>2</sup> although in practice he or she is informed of the Government’s wishes as to meeting times. Even if the Federation Chamber has previously adjourned until a certain day and time, the time fixed may be changed, and Members are notified accordingly.<sup>3</sup> The Deputy Speaker usually takes the chair at the commencement of proceedings, but other members of the Speaker’s panel may do so.<sup>4</sup>

1 S.O. 186.

2 S.O. 186.

3 E.g. VP 2004–07/1391 (7.9.2006); VP 2004–07/2092 (16.8.2007); VP 2004–07/2115 (12.9.2007). The Federation Chamber has met a second time on the same day pursuant to the determination of the Deputy Speaker, after having earlier adjourned and the Deputy Speaker having fixed the following day for the next meeting, VP 2010–13/1315–6 (14.3.2012); VP 2010–13/1863–4 (10.10.2012).

4 E.g. H.R. Deb. (26.2.2007) 133.

The Federation Chamber is adjourned on the completion of the consideration of all matters referred to it by the House, upon the adjournment of the House, or by motion moved without notice by any Member.<sup>5</sup>

Federation Chamber proceedings are suspended to enable Members to attend divisions in the House.<sup>6</sup> The Chair of the Federation Chamber is informed by an indicator light at the Table when a division has been called.

The Federation Chamber must be adjourned or its proceedings suspended in the case of a lack of quorum—*see below*. Proceedings are also adjourned or suspended in cases of disorder—*see page 788*.

On occasion the Chair may exercise discretion to suspend proceedings for other reasons, for example, to permit Members to attend important debates in the House, or while awaiting business referred from the House.

The Federation Chamber continues to meet during a suspension of the House, for example because of the lack of a quorum.<sup>7</sup>

Following any suspension or adjournment of the Federation Chamber, it may resume proceedings at the point at which they were interrupted.<sup>8</sup>

On the adjournment of the Federation Chamber the Deputy Speaker announces that the Federation Chamber is adjourned to a stated day and time, or until a time to be fixed. In the latter case the time of the next meeting fixed by the Deputy Speaker is announced in a statement in the House.

## Quorum

The quorum of the Federation Chamber is three Members, comprising the Deputy Speaker (that is, the occupant of the Chair), one government Member and one non-government Member.<sup>9</sup> This quorum should be present at all times. In practice each side of the House rosters Members to represent it and to ensure that the quorum is maintained. If a quorum is not present the Chair is obliged to immediately suspend proceedings until a stated time or adjourn the Federation Chamber.<sup>10</sup> The House has suspended standing orders to remove the requirement for a Member from both sides of the House to be present during debate on a bill.<sup>11</sup>

5 S.O. 190(c), 190(e).

6 S.O. 190(a), e.g. VP 2013–16/1924 (22.2.2016); VP 2013–16/95 (5.5.2016).

7 E.g. H.R. Deb. (24.5.2006) 94, 196–200.

8 S.O. 196.

9 S.O. 184(b).

10 S.O. 190(b), e.g. VP 1998–2001/1942 (30.11.2000); VP 2004–07/590 (7.9.2005) (the Opposition announced that it was ‘suspending its cooperation in the [then] Main Committee’, H.R. Deb. (7.9.2005) 151); VP 2008–10/653 (22.10.2008), 840 (4.2.2009) (quorum not present at time of meeting); VP 2013–16/1493 (11.8.2015) (quorum not present at time of meeting, the Federation Chamber did not meet), 1820 (3.12.2015).

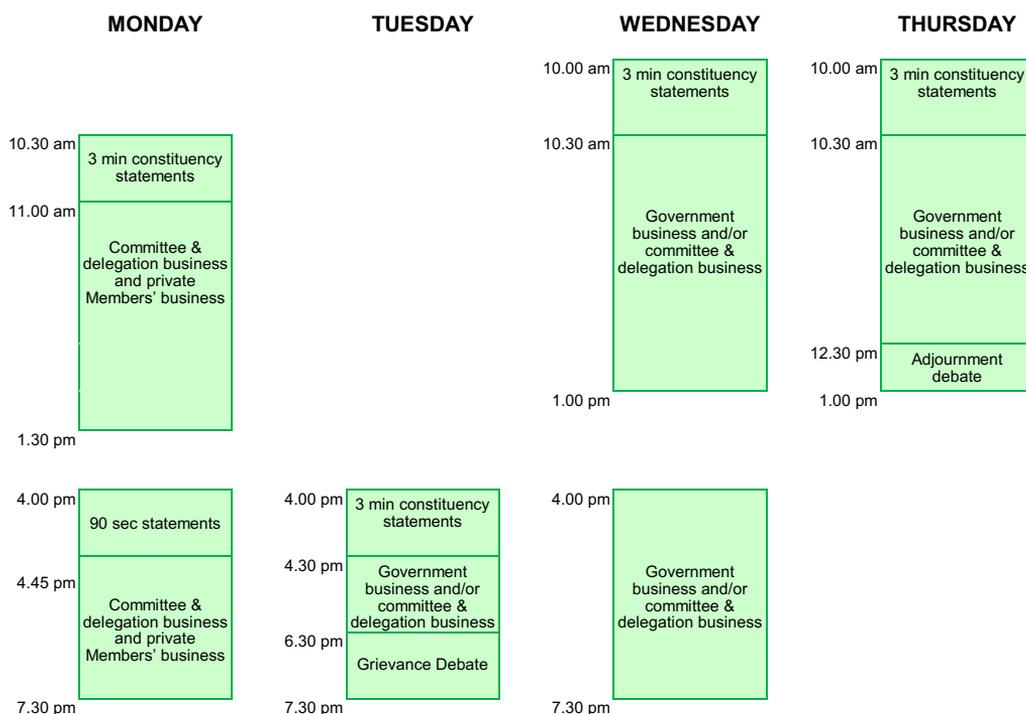
11 VP 1996–98/551–5 (8.10.1996); VP 2002–04/357–8 (26.8.2002).

## Order of business

Business that has been referred to the Federation Chamber is listed separately on the Notice Paper as Business of the Federation Chamber, under the subheadings: Government Business; Committee and Delegation Business; and Private Members' Business. An attachment to the Daily Program lists the proposed Federation Chamber order of business.

The normal order of business of the Federation Chamber is shown in the diagram below. Times are given in the standing orders as indicative, to allow for adjustment and for shorter or longer sittings, depending on the amount of business in hand. For example, it is common for the Federation Chamber to sit for additional hours during consideration of the Budget.

### Federation Chamber indicative order of business (Operating from September 2016)



The meeting times of the Federation Chamber are fixed by the Deputy Speaker and are subject to change. Times shown for the start and finish of items of business are approximate. Adjournment debates can occur on days other than Thursdays by agreement between the Whips.

### Business periods on Mondays

Business periods on Mondays in the Federation Chamber may be used either for private Members' business or for committee and delegation business, as follows:

- moving and debate of private Members' motions;
- resumption of debate on private Members' motions;
- resumption of debate on private Members' bills;<sup>12</sup>
- presentation of committee and delegation reports;
- resumption of debate on committee and delegation reports previously presented;
- statements by the chair or deputy chair of a committee concerning a committee inquiry.

The Selection Committee selects private Members' notices and other items of private Members' and committee and delegation business for referral to the Federation Chamber, or for return to the House. Such a referral by determination of the Selection Committee, once the determination has been reported to the House, is deemed to be a referral by the House.<sup>13</sup> The Selection Committee also determines the order of consideration of matters, and the times allotted for debate on each item and for each Member speaking.

*See* Chapter on 'Non-government business' for more detail generally on private Members' business and committee and delegation business.

### Business periods on other days

Business periods on Tuesdays, Wednesdays and Thursdays in the Federation Chamber may be used either for government business or for committee and delegation business, as follows:

- resumption of debate on government legislation;
- resumption of debate on government motions;
- resumption of debate on committee and delegation reports;
- further statements on matters where statements have commenced in the House.<sup>14</sup>

### Other periods—opportunities for private Members

Several periods are available each week in the Federation Chamber which provide opportunities for Members to speak for varying lengths of time (ranging from 90 seconds to 10 minutes) on matters of their own choice.

#### *Constituency statements*

The first item of business on any day that the Federation Chamber meets is constituency statements by Members.<sup>15</sup> This opportunity lasts for 30 minutes, irrespective of suspensions for divisions in the House. Any Member (including Parliamentary Secretaries and Ministers, and the Speaker<sup>16</sup> and Deputy Speaker) may speak for no longer than three minutes.<sup>17</sup> If no other Member rises, a Member who has already spoken

12 Bills can be referred only after the first reading in the House, S.O. 143.

13 S.O.s 183, 222.

14 That is, matters originating by way of a statement by indulgence in the House, following which the Leader of the House has moved that further statements on the matter be referred to the Federation Chamber. Further statements were initially listed as items of business on the Notice Paper but this practice was discontinued in 2013. A speech time limit of 10 minutes applies.

15 S.O. 193. Prior to 2008 known simply as 'Members' statements' (and Ministers were excluded).

16 H.R. Deb. (26.6.2013) 7192 (first time).

17 S.O. 193.

may speak a second time. The period for statements is sometimes extended (by motion moved in the House) when there is no other business to be considered by the Federation Chamber.<sup>18</sup> The standing orders do not define ‘constituency statements’, and matters of more general interest have been raised without objection.<sup>19</sup>

### *90 second statements*

During this period any Member other than a Minister (or Parliamentary Secretary) may be called by the Chair to make a statement on any topic of concern for no longer than 90 seconds.<sup>20</sup> In recent Parliaments a 45 minute period has been scheduled in the Federation Chamber at 4 p.m. on Mondays.

Periods for 90 second statements occur daily in the House—for further detail *see* Chapter on ‘Non-government business’.

### *Adjournment debate*

The Federation Chamber may be adjourned on motion moved without notice by any Member ‘That the Federation Chamber do now adjourn’,<sup>21</sup> which may be debated.<sup>22</sup> In practice the timing of the motion is agreed between the whips.

It is now well-established practice that a regular 30 minute adjournment debate takes place on Thursdays in the Federation Chamber. However, the timing and duration of the debate are not fixed by the standing orders,<sup>23</sup> and the debate may be extended or occur on a day other than Thursday by agreement between the whips. The Deputy Speaker has stated that unless advised of an agreement for extended debate, after 30 minutes the Chair would cease to recognise Members seeking the call and put the question,<sup>24</sup> although in practice some flexibility is often allowed.

The rules applying to the adjournment debate in the House apply, as appropriate. However, any Member (rather than only a Minister) may require the question ‘That the Federation Chamber do now adjourn’ to be put immediately without debate.<sup>25</sup> For coverage of adjournment debate procedures generally *see* Chapter on ‘Non-government business’.

### *Grievance debate*

The motion ‘That grievances be noted’ is now a standing referral to the Federation Chamber.<sup>26</sup> In the 45th Parliament the grievance debate was the final order of the day on each sitting Tuesday. The question proposed by the Chair is ‘That grievances be noted’, to which question any Member may address the Chair for up to 10 minutes. If consideration of the question has not concluded after one hour, the debate is interrupted by the Chair. The debate is then adjourned, and its resumption made an order of the day for the next sitting.

For further detail on the grievance debate *see* Chapter on ‘Non-government business’.

18 E.g. VP 2004–07/1813 (27.3.2007), (to 90 minutes); VP 2013–16/1495 (12.8.2015), (to 60 minutes).

19 E.g. H.R. Deb. (12.2.2009) 1314.

20 S.O. 43.

21 S.O. 190(e).

22 S.O. 191(a).

23 S.O. 191. Prior to September 2002 former S.O. 274 fixed the time of the debate as 12.30 p.m. on Thursdays.

24 *See* statement by Deputy Speaker, H.R. Deb. (17.9.2002) 6471.

25 S.O. 191(b), e.g. VP 1998–2001/273 (10.12.1998), 892 (23.9.1999); VP 2002–04/283 (20.6.2002); VP 2010–13/616 (2.6.2011).

26 S.O. 192B. (Before 2008 the grievance debate occurred in the House—*see* earlier editions for details.)

### *Presentation of petitions*

A Member may present a petition during any of these periods (that is, constituency statements; 90 second statements; grievance debate; adjournment debate) provided the Petitions Committee has checked the petition for compliance with the standing orders and approved it for presentation.<sup>27</sup>

## Procedures

### *Motions*

The range of motions which can be moved in the Federation Chamber is limited, as the Federation Chamber can only consider matters referred to it by the House,<sup>28</sup> including matters deemed to be referred by a Selection Committee determination,<sup>29</sup> and items of government business referred by a programming declaration.<sup>30</sup> Motions referred for debate are not resolved in the Federation Chamber, in accordance with the philosophy that it is a forum for debate of such matters and not their determination.

Unless otherwise provided in the standing orders, Federation Chamber procedure in respect of motions is the same as that applying in the House.<sup>31</sup> Where the standing orders ‘otherwise provide’ it is to reflect the principle that the House itself is the proper forum for the resolution of contentious matters.

A Minister may move without notice, at any time,<sup>32</sup> in relation to a bill or other order of the day being considered ‘That further proceedings be conducted in the House’. This motion must be put without amendment or debate, and the bill or order of the day must be returned to the House (anyway) in the event of the Federation Chamber being unable to resolve the question.<sup>33</sup> The House may require a matter referred to the Federation Chamber to be returned to the House, on motion moved without notice by a Minister.<sup>34</sup> An item of government business may also be returned to the House by a programming declaration.<sup>35</sup>

The standing orders are orders of the House and motions to suspend them may not be moved in the Federation Chamber, which is a subsidiary body. Any decision taken in the Federation Chamber is subject to the approval of the House.

### *Unresolved questions*

A unique feature of Federation Chamber procedure is the provision for unresolved questions. Decisions in the Federation Chamber are taken only ‘on the voices’. If any Member dissents from the result announced by the Chair—that is, in situations which would cause a division in the House—the Federation Chamber must report the matter back to the House as ‘unresolved’.<sup>36</sup> In practice, in some circumstances it may make no sense for the House to determine an unresolved question—for example, on a motion that

27 S.O.s 206, 207(b)—see section on ‘Petitions’ in Chapter on ‘Documents’.

28 S.O. 183. In addition to motions and bills, the House may also refer further statements on a matter to the Federation Chamber, when statements have commenced in the House.

29 S.O. 222.

30 S.O. 45.

31 S.O. 185. See Chapter on ‘Motions’.

32 In practice, this motion is not moved so as to interrupt a Member’s speech.

33 S.O. 197(a), e.g. VP 1993–96/2470, 2477 (18.10.1995); but see VP 1996–98/273 (19.6.1996) (question put again and negatived).

34 S.O. 197(b).

35 S.O. 197(c).

36 S.O. 188(b), e.g. VP 1993–96/2470, 2478 (18.10.1995), 2504–5, 2516 (19.10.1995); VP 1996–98/380, 387 (21.8.1996); VP 2008–10/1750 (12.5.2010).

a Member speaking on the adjournment be no longer heard—and in such a case the matter is not put to the House.<sup>37</sup> The House has suspended standing orders to permit debate on a bill to continue in the Main Committee (now Federation Chamber) regardless of any unresolved questions.<sup>38</sup> When an unresolved question that the question be now put has been referred to the House and resolved in the negative, debate on the question has continued in the House.<sup>39</sup>

### *Legislation*

After their first reading in the House, bills may be referred to the Federation Chamber by motion, by programming declaration in the case of government bills, or by Selection Committee determination in the case of private Members' bills. For more detail on referral procedures see 'Referral to the Federation Chamber' in Chapter on 'Legislation'.

Proceedings in the Federation Chamber in respect of legislation are substantially the same as they are for the same stage in the House. A significant difference, stemming from the lack of opportunity in the Federation Chamber for divisions, is the provision for the 'unresolved question'. Proceedings on a bill may be continued regardless of unresolved questions unless agreement to an unresolved question is necessary to enable further questions to be considered. If progress cannot be made the bill is returned to the House.<sup>40</sup> The view has been taken that an unresolved question on a second reading amendment prevents further consideration of a bill in the Federation Chamber.<sup>41</sup>

At the conclusion of the bill's consideration in detail the question is put, immediately and without debate, 'That this bill be reported to the House, without amendment' or 'with (an) amendment(s)' ('and with (an) unresolved question (s)'), as appropriate.<sup>42</sup> If the Federation Chamber does not desire to consider the bill in detail it may grant leave for the question 'That this bill be reported to the House without amendment' to be moved immediately following the second reading.<sup>43</sup>

When the Federation Chamber has fully considered a bill, a certified copy of the bill, together with schedules of any amendments made by the Federation Chamber and any questions which the Federation Chamber was unable to resolve, is provided for the Speaker to report to the House.<sup>44</sup>

A bill may be returned to the House at any time during its consideration by the Federation Chamber by a Minister moving 'That further proceedings be conducted in the House'.<sup>45</sup> A bill may also be recalled to the House at any time by motion moved by a

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37 E.g. VP 1998–2001/2034 (7.12.2000)—matter not referred to House. VP 2002–04/386 (29.8.2002); H.R. Deb. (29.8.2002) 6192–3—several unresolved questions not put to House; statement by Speaker (standing orders had been suspended to allow progress despite unresolved questions).

38 VP 1996–98/551–5 (8.10.1996); the context was the referral to the Main Committee of a bill which many Members wished to debate in the House. Subsequent proceedings (suspended because of disorder, VP 1996–98/765 (31.10.1996) emphasised the extent to which Main Committee operations depended on general co-operation. VP 2002–04/357–8, 367 (26.8.2002), also for a bill which some Members wished to debate in the House; on this occasion debate continued despite a series of unresolved questions on procedural matters. In each of these cases the quorum requirement for a Member from both sides of the House was also suspended.

39 VP 2002–04/742 (13.2.2003).

40 S.O. 195.

41 VP 1993–96/2504–5, 2516 (19.10.1995); VP 1996–98/363 (27.6.1996).

42 S.O. 198.

43 S.O. 148(b).

44 S.O. 198.

45 S.O. 197(a). The motion is successful in having the matter returned to the House even if opposed (because it becomes an unresolved question for resolution by the House), e.g. VP 1993–96/2470, 2478 (18.10.1995) (motion that further proceedings be conducted in the House moved immediately after second reading speech).

Minister in the House. However, referral to and from the Federation Chamber now often occurs by way of a programming declaration.<sup>46</sup>

## Chair

The Deputy Speaker chairs the Federation Chamber and sets its meeting times.<sup>47</sup> In other respects, the Deputy Speaker's functions in the Federation Chamber are basically the same as those of the Speaker in the House. He or she calls Members to speak, proposes and puts questions and declares the decision, enforces the rules of debate, rules on points of order and ensures that the provisions of the standing orders in their application to the Federation Chamber are applied. The Chair of the Federation Chamber has no casting vote (the unresolved question procedure makes this unnecessary).

While the standing orders make no specific provision for a Member to move dissent to a ruling of the Chair in the Federation Chamber (as they used to in relation to the committee of the whole),<sup>48</sup> a dissent motion may occur. However, the factors referred to below which work to minimise disorder in the Federation Chamber, would also work to minimise both the likelihood of dissent and the likelihood of a ruling which might lead to dissent. Rarely, dissent motions have been moved in the Federation Chamber/Main Committee. These have generally followed (and have been in relation to) the suspension of the unresolved question procedure.<sup>49</sup> No dissent moved in the Federation Chamber/Main Committee has ever been voted on by the House.<sup>50</sup>

A motion of no confidence in the Chair of the Federation Chamber cannot be moved in the Federation Chamber, which essentially can only consider matters referred by the House. Additionally, the Chair of the Federation Chamber is appointed pursuant to the standing orders, and a resolution of the Federation Chamber cannot prevail over the standing orders. Such a motion could be moved in the House pursuant to notice or by leave.<sup>51</sup>

The Deputy Speaker may be relieved in the Chair of the Federation Chamber by the Second Deputy Speaker or a member of the Speaker's panel.<sup>52</sup> In practice a roster is maintained.

## Disorder

In practice there are several factors which minimise the likelihood of disorder in the Federation Chamber—the general ethos of co-operation in respect of its proceedings, the ability of any Member to move the adjournment, and the unresolved question mechanism whereby opposed votes are referred to the House for decision. Disorder has arisen in the Federation Chamber<sup>53</sup> when these characteristics have not been evident, for example,

46 S.O. 45(b).

47 S.O. 186.

48 See pp. 236–7 of the 2nd edition.

49 Because of disorder the proceedings were suspended by the Chair, VP 1996–98/765 (31.10.1996), H.R. Deb. (31.10.1996) 6346–51. On resumption the dissent motion was not proceeded with by the Member who had moved it, H.R. Deb. (6.11.1996) 6733. On the second comparable occasion, by the time the dissent was reported to the House it had become meaningless in view of later proceedings, and the question was not put to the House. H.R. Deb. (26.8.2002) 5676–8; (29.8.2002) 6192.

50 In the normal course a dissent in the Federation Chamber would be expected to be reported to the House as an unresolved question, or more probably, to be closed and the closure reported as unresolved, e.g. VP 1996–98/1829, 1834 (26.6.1997) (Main Committee), when the closure was reported to the House the dissent motion was withdrawn, by leave.

51 H.R. Deb. (29.8.2002) 6192.

52 S.O.s 16(c), 17(c).

53 E.g. VP 1996–98/765 (31.10.1996); VP 2002–04/137–8 (21.3.2002) (Main Committee).

following the suspension of standing orders to allow debate in the Federation Chamber to continue regardless of any unresolved questions.<sup>54</sup>

The Deputy Speaker, or the occupier of the Chair at the time, is responsible for keeping order in the Federation Chamber. The House may address disorder in the Federation Chamber after receiving a report from the Deputy Speaker.<sup>55</sup> In the Federation Chamber the Deputy Speaker has the same responsibility for the preservation of order as the Speaker has in the House.<sup>56</sup> However, the Chair of the Federation Chamber does not have the power to name a Member. If disorder occurs in the Federation Chamber the Deputy Speaker may direct the Member or Members concerned to leave the room for 15 minutes.<sup>57</sup> Alternatively he or she may, or on motion moved without notice by any Member must, suspend or adjourn the sitting. If the sitting is adjourned, any business under discussion and not disposed of at the time of the adjournment is set down on the Notice Paper for the next sitting.<sup>58</sup> Following the suspension or adjournment or the refusal of a Member to leave when so directed, the Deputy Speaker must, or in other cases may, report the disorder to the House. Any subsequent action against a Member under standing order 94 may only be taken in the House.<sup>59</sup>

Sittings of the Federation Chamber (then named Main Committee) have been suspended because of disorder arising. On the first occasion, in reporting the suspension to the House the Main Committee Chair further reported that a Member had disregarded the authority of and reflected on the Chair. Following the report the Member concerned was named by the Speaker and was suspended.<sup>60</sup> On a later occasion the Member concerned was named and suspended after the Main Committee Chair reported that the Member had defied the Chair by continuing to interject after having been called to order.<sup>61</sup> In 2002 disorder arose when a Member defied the Chair by refusing to withdraw a remark. Instead of suspending the sitting<sup>62</sup> the Deputy Speaker requested another Member to move that the Committee adjourn.<sup>63</sup> On another occasion the offending Member, having withdrawn and apologised when the matter was reported to the House, the Speaker stated that he had discussed the matter with the Deputy Speaker and no further action was taken.<sup>64</sup> In such cases the matter considered in the House is the defiance of the Chair, rather than any matter which gave rise to it.

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54 E.g. VP 1996–98/551–5 (8.10.1996). The context was the referral to the Main Committee (now Federation Chamber) of a bill (the Euthanasia Laws Bill 1996) which many Members wished to debate in the House.

55 S.O. 60(b).

56 S.O. 187(a).

57 S.O. 187(b), e.g. VP 2013–16/304 (13.2.2014), H.R. Deb. (13.2.2014) 483 (first occasion).

58 S.O. 187(b).

59 S.O. 187(c). E.g. Member named and suspended for serious and disorderly behaviour in Federation Chamber, VP 2013–16/1238 (25.3.2015)—the Member had brought bottles of fuel oil into the Federation Chamber to illustrate a speech, and had caused damage by pouring the oil and spilling it.

60 VP 1996–98/751, 765. See also VP 1926–28/421–2 (former committee of the whole).

61 VP 1998–2001/2076–7, 2090.

62 Before September 2002 the standing order provided only the option of suspension.

63 VP 2002–04/135 (20.3.2002), H.R. Deb. (20.3.2002) 1830. On report of the matter to the House the offending Member was named and suspended, VP 2002–04/137 (21.3.2002).

64 VP 2002–04/507, 502 (17.10.2002); H.R. Deb. (17.10.2002) 7973.

## History of the Federation Chamber

### Origin

The idea for a parallel chamber originated in a proposal by the Procedure Committee in its 1993 *About Time* report ‘... aimed at making more time available for the consideration of legislation and allowing increased opportunities for Members to contribute to debate on bills. This would be achieved by considering legislation in two concurrent streams—in the House and in a single main committee on legislation’.<sup>65</sup> The House adopted the report’s recommendations for changes to the legislative process, which included detailed proposals for the nature and operation of a Main Committee (Legislation), also referred to in the report as simply the Main Committee.<sup>66</sup> However, the further potential of parallel processing had been recognised even before the Main Committee was established, and committee and delegation reports and motions to take note of papers were included as matters that could be referred to it.<sup>67</sup>

The Main Committee was renamed the Federation Chamber in February 2012.<sup>68</sup> The change had been recommended by the Procedure Committee some years earlier because of concerns about the name ‘Main Committee’ being confused with the Parliament House main committee room, use of which is shared by the Senate and the House.<sup>69</sup>

### Development

Since 1995 the main appropriation bills have been referred to the Main Committee, later Federation Chamber, for the continuation of the second reading (Budget debate) and for the whole of the consideration in detail (estimates debates) stages. 1998 saw the introduction of 3 minute constituency statements in the Main Committee and an adjournment debate. The 2004 rewrite of the standing orders enabled orders of the day for the resumption of debate on any motion to be referred to the Main Committee.<sup>70</sup> 2008 saw the transfer of the grievance debate from the House, an allotment of time in the Main Committee for 90 second statements, and the Main Committee becoming an additional venue for private Members’ and committee and delegation business on Mondays.<sup>71</sup> As noted above, the Main Committee became the Federation Chamber in February 2012. In November 2013 the process of referring private Members’ business and committee and delegation reports to the Federation Chamber was simplified,<sup>72</sup> and explicit provision was

65 Standing Committee on Procedure, *About time—Bills, questions and working hours: report of the inquiry into reform of the House of Representatives*. October 1993, p. 7.

66 *About time*, *op cit*, pp. 6–20.

67 VP 1993–6/766–7 (10.2.1994).

68 From 27 February 2012, VP 2010–13/1179 (8.2.2012).

69 Standing Committee on Procedure, *Renaming the Main Committee—Celebrating the 10th anniversary of the Main Committee*, June 2004. The committee also recommended a purpose-built venue located adjacent to the Chamber.

70 S.O. 183. Earlier years had seen much procedural ingenuity in widening the scope of matters able to be referred for debate, as only motions moved in connection with committee and delegation reports and motions to take note of papers were provided for. The Address in Reply debate was referred (VP 1998–2001/129 (2.12.1998))—the motion ‘That the Address (reported by the Address in Reply Committee) be agreed to’, being regarded as a motion in connection with a committee report. Restrictions on Main Committee (Federation Chamber) business were circumvented by the device of presenting and moving to take note of a range of documents to enable debate or further debate on various matters to be referred. Examples of this practice included copies of motions moved (and already passed) in the House (VP 2002–04/691 (4.2.2003), 1233–4 (9.10.2003), 1552 (30.3.2004)), and copies of announcements of the death of a former Member or other notable person, to provide, in effect, the opportunity for a condolence debate (VP 2002–04/1401 (10.2.2004), 1428(12.2.2004), 1713 (21.6.2004)).

71 The items of business concerned were presented to the House by the Speaker first thing on Monday morning and, on presentation, deemed to be referred to the Main Committee.

72 Private Members’ notices and other items of private Members’ and committee and delegation business were now able to be referred directly by a Selection Committee determination—a referral by a determination of the Selection Committee that has been reported to the House is deemed to be a referral of the House (S.O. 222).

made for the referral of further statements on a matter to the Federation Chamber when statements had commenced in the House.<sup>73</sup>

In summary, the Federation Chamber, as well as increasing the time the House has available to debate legislation, has provided steadily increasing opportunities for private Members to raise matters and make statements on matters of concern to them and their electorates.<sup>74</sup>

### *Status as a committee*

The Federation Chamber is conceptually a committee of the whole House, that is, a committee in which all Members may participate. Other than this, committees of the whole no longer feature in the House of Representatives. Until 1994 the detail stage of bills (then referred to as the committee stage) was taken in a committee of the whole, and until 1963 the Committee of Supply and the Committee of Ways and Means, also committees of the whole, were used to consider financial proposals. These committees operated in the Chamber of the House. The innovation of the Main Committee (now Federation Chamber) in 1994 was that it met outside the Chamber of the House and at the same time as the House, thereby enabling parallel rather than consecutive proceedings.

While the United Kingdom House of Commons sittings in Westminster Hall<sup>75</sup> could be said to have been inspired by the model provided by the House of Representatives Main Committee,<sup>76</sup> as the Federation Chamber was then named, there are essential differences between the functions of the two parallel chambers. Westminster Hall is for debate (debates on topics proposed by private Members<sup>77</sup> and debates on committee reports) rather than for the transaction of substantive business.<sup>78</sup> In contrast, in the House of Representatives the Main Committee's major function was intended to be that of a legislation committee, in which stages of bills could be taken.

Westminster Hall was designed as a parallel chamber, to be 'seen not as a committee of the House but as the House itself, sitting in another location'.<sup>79</sup> House of Commons standing orders state that any order or resolution made in Westminster Hall is deemed to be an order or resolution of the House.<sup>80</sup> The Federation Chamber, although also providing a parallel chamber for debate, is expressly established as a subordinate body. Any substantive decision it makes must be confirmed by the House.

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73 This practice had become established from 2008, e.g. VP 2008–10/592–3 (14.10.2008); NP 50 (14.10.2008) 27 (Main Committee). Previously, motions to take note of statements had been referred, e.g. VP 2004–07/1401, 1406 (12.9.2006). Initially such further statements were listed as items of business on the Notice Paper but this practice was discontinued in 2013.

74 In 2015 the Procedure Committee reviewed the operation of the Federation Chamber on its 20th anniversary, and noted the decline in the number of government bills being considered. Standing Committee on Procedure, *Role of the Federation Chamber: celebrating 20 years of operation*, June 2015. This process has continued. In 2016 only 15% of the time of the Federation Chamber was spent on government legislation, and about 70% on private Members' business and the various other opportunities for private Members.

75 In the Grand Committee Room off Westminster Hall, rather than in the Hall itself. Another committee room has been used when the Grand Committee Room has been unavailable.

76 See Select Committee on Modernisation of the House of Commons, *First report: The parliamentary calendar: initial proposals*, HC 60 (1998–99), 'Part II: The establishment of a "Main Committee" '; and *Second report: Sittings of the House in Westminster Hall*, HC 194 (1998–99).

77 On the question 'That the sitting be now adjourned'.

78 *May*, 24th edn, 2011, 'Sittings in Westminster Hall', pp. 322–5. Business may also include questions for oral answer, but this had not occurred since 2003–04.

79 Select Committee on Modernisation of the House of Commons, *Second report*, HC 194 (1998–99), para 17.

80 House of Commons S.O. 10.

