

The Senate

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Procedure Committee

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Routine of business

Third report of 2019

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# Procedure Committee

## Third report of 2019

### Routine of business

#### Introduction

1.1 As part of its oversight of Senate practice and procedure, the committee **recommends** a trial of arrangements intended to streamline aspects of Senate business without any reduction in business time.

1.2 The proposed arrangements effectively transfer one hour of business time from Thursday evening sittings to Monday evening. Currently the Senate suspends on Monday from 6.30 to 7.30pm, before resuming and adjourning by 10.30pm. The committee proposes that the Senate continue to sit through that suspension; adding an extra hour of debating time.

1.3 The committee was also provided with statistics which demonstrate that, on average over recent years, under the Senate's standard routine of business, the adjournment on Thursdays has been proposed around 6.30pm, with the Senate adjourning between 6.50 and 7pm. With one hour of business time now added to proceedings on Mondays, the committee proposes bringing the Thursday adjournment times forward by one hour from that observed average time, so that the adjournment will be proposed at 5.30pm, and the Senate will adjourn not later than 6pm.

1.4 The committee also proposes different arrangements for the consideration of committee reports and other documents on a Thursday afternoon. More broadly, the committee also proposes a trial of reduced speaking times on bills and in other general debates, so that more senators may participate in the available time.

#### Detail

1.5 The committee **recommends** that the following arrangements operate as a trial from the first day of sittings in 2020 until the end of the first sitting week in August 2020.

The Senate continue to sit through the current Monday dinner suspension, to provide for an additional hour of business time on Monday evening. Business time from 6.30 to 7.30pm on Mondays shall operate on a "deferred divisions", as provided for in standing orders 57(2) and (3).

The routine of business and adjournment time on Thursday be varied as follows:

After questions and motions to take note:

- **up to one hour** for consideration of reports and documents, as follows:
  - first, tabling and consideration of **new** committee reports and government responses, with current speaking times of 10 minutes per speaker
  - then, consideration of documents and reports listed on the *Notice Paper*
- followed by **general business debate**;
- **at 5.30pm**, adjournment to be proposed and debated for up to 30 minutes (notionally **2 x 10 minute** and **2 x 5 minute** speeches, with the allocation of speaking times to be administered by the Whips)
- **at 6pm**, Senate adjourns.

Reductions in speaking times, as follows:

| <b>Item of business</b>   | <b>Current</b> | <b>Proposed</b> |
|---|----------------|-----------------|
| General debate  | 20 minutes     | 15 minutes      |
| Committee of the whole (noting that senators may make multiple contributions) | 15 minutes     | 10 minutes      |
| Returning to committee reports etc. listed on the <i>Notice Paper</i> **      | 10 minutes     | 5 minutes       |

\*\* One particular matter to monitor in the trial is the effect of the 5 minute proposal in relation to committee reports listed on the *Notice Paper*, where debate is not able to be accommodated when the report is tabled.

1.6 Amendments to standing orders to give effect to these changes are in Appendix 1.

## Notes

1.7 In recommending the trial of new arrangements for Thursday, the committee notes that, although significant time is notionally allocated to the consideration of documents and reports on Thursday, in practice, the average time used is much less:

|  | <b>Notional allocation</b> | <b>Recent average use</b> |
|--|----------------------------|---------------------------|
| Tabling and consideration of <b>new</b> committee reports etc. | 60 minutes                 | 16 minutes (2017-2018)    |
| Consideration of documents listed on Notice Paper              | 60 minutes                 | 7 minutes (2014-2018)     |

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|   |            |                           |
|---|------------|---------------------------|
| Consideration of reports etc.<br>listed on Notice Paper | 60 minutes | 24 minutes<br>(2014-2018) |
|---|------------|---------------------------|

1.8 The committee recognises that, if new reports are debated for the whole hour proposed to be allocated, the other documents will remain on the *Notice Paper* for debate on another occasion.

1.9 The committee also notes that the median time for the adjournment to be proposed during the 45th Parliament was around 6.30pm. Although 40 minutes is notionally allocated to the adjournment, the average Thursday adjournment debate in recent years has been 21 minutes (August 2015 to December 2018).

Senator Sue Lines

**Chair**



# Appendix 1

## Amendments to standing orders

### Remove Monday dinner suspension; adjust Thursday adjournment

Standing order 55, **Times of meeting:**

Amend paragraph (1) to read as follows:

Monday 10am – ~~6.30pm, 7.30pm~~ 10.30pm

Tuesday midday – adjournment

Wednesday 9.30am – 8 pm

Thursday 9.30am – **6 pm**

Standing order 54, **Adjournment without motion**

Omit paragraph (5), substitute:

(5) The individual and total speaking times on the adjournment debate on each day shall be as follows:

| <b>Day</b> | <b>Individual time</b>            | <b>Total time</b> |
|------------|-----------------------------------|-------------------|
| Monday     | 10 minutes                        | 40 minutes        |
| Tuesday    | 5 minutes <b>or</b><br>10 minutes | n/a               |
| Wednesday  | 5 minutes                         | 40 minutes        |
| Thursday   | 5 minutes <b>or</b><br>10 minutes | 30 minutes        |

(5A) The President shall adjourn the Senate without putting the question:

- (a) if there is no debate, or
- (b) at the conclusion of debate, at the expiration of the total time specified for that day, or at the time specified for adjournment, whichever is the earlier.

After paragraph (6), add:

(7) On the question for the adjournment of the Senate on Thursday, a senator shall speak to that question for not more than 10 minutes, except that the chair may indicate that arrangements have been made for senators to

instead speak for not more than 5 minutes, in which case those arrangements will apply.

### **Trial routine of business for Thursdays**

#### **Standing order 57, Routine of business**

Omit subparagraphs (d)(x) – (xv), substitute:

(x) Consideration of reports and documents for up to 60 minutes, in the following order:

- tabling and consideration of committee reports and government responses [standing order 62(4)]
- consideration of documents listed on the Notice Paper [orders of the day under standing order 61]
- consideration of committee reports, government responses and Auditor-General's reports listed on the Notice Paper [orders of the day under standing order 62]

(xi) Consideration of general business only

(xii) At 5.30pm, adjournment proposed

(xiii) At 6pm, adjournment

After paragraph (1), insert:

(1A) If a division is called for on Monday between 6.30 pm and 7.30 pm, the division shall be taken at a later hour of the day, not being earlier than 7.30 pm.

#### **Amend standing order 59, Government and general business, to read as follows:**

Government business shall take precedence over general business, except that general business shall take precedence over ~~government business~~ **all other business** as follows:

- (a) On Mondays, from 10 am until 12.20 pm, general business orders of the day for the consideration of bills shall be considered; and
- (b) ~~from not later than 4.30 pm, for a period not exceeding 2½ hours, general business orders of the day shall take precedence over general business notices of motion on alternate Thursdays~~ **On Thursday at the time specified in standing order 57(1)(d) an item or items of general business shall be considered, pursuant to order.**

#### **Standing order 61, Consideration of documents**

Amend paragraphs (3)(c) and (d) to read as follows:

- (c) if the debate is adjourned or interrupted, the resumption of the debate shall be an order of the day for the Thursday of that week at the time ~~for the consideration of government documents under general business~~ **specified in standing order 57(1)(d)**, or, if it is so ordered, for the next day of sitting; and
- (d) on Thursdays, at the time provided, when an order of the day is called on under this standing order senators who have previously spoken to that order of the day may speak again for not more than 5 minutes, ~~and debate under this standing order at that time shall not exceed 60 minutes.~~

### **Standing order 62, Consideration of committee reports and government responses and Auditor-General's reports**

Amend paragraphs (1)(b), (c) and (d) to read as follows:

- (b) if there are no orders of the day relating to committee reports or government responses presented during that week, or if debate on motions relating to such reports or government responses concludes before the expiration of ~~60 minutes~~ **the time specified in standing order 57(1)(d)**, orders of the day relating to committee reports or government responses presented prior to that week shall then be severally called on in an order which is the reverse of the order in which the respective reports or government responses were presented; **and**
- (c) in any debate on such motions so called on, each senator may speak for not more than ~~10 minutes~~ **5 minutes**; ~~and~~
- (d) ~~any debate pursuant to this standing order shall be interrupted at the expiration of 60 minutes.~~

Paragraph (2), omit "under general business".

### **Reduce general speaking times**

Amend standing order 189, **Time limits on speeches**, to read as follows:

- (1) Subject to other time limits specified, a senator shall not speak for more than ~~20 minutes~~ **15 minutes** in any debate in the Senate. ~~A senator may move that that time limit be extended by not more than 10 minutes, and such a motion shall forthwith be put without debate.~~
- (2) Where a right of reply is allowed in a debate a senator speaking in reply shall speak for not more than ~~20 minutes~~ **15 minutes**.
- (3) In committee a senator shall not speak for more than ~~15 minutes~~ **10 minutes** at a time on any question, but where the speech of a senator is interrupted by this provision, and no other senator rises to speak, the senator so interrupted may

continue to speak for a further ~~15 minutes~~ **10 minutes** but no longer continuously on a question.