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The Parliament of the Commonwealth of Australia

# **Procedures relating to House committees**

House of Representatives  
Standing Committee on Procedure

November 2005

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## Foreword

One of the great bipartisan strengths of the House of Representatives is its committee work. Backbench members put an enormous amount of effort into this work and on most occasions it is undertaken in association with the community. Important topics of the day that directly impact on the lives of many Australians are considered and addressed. In their committee work we see backbench Members at their parliamentary best, working together to bring about change for the betterment of Australian society.

In this report the Procedure Committee addresses two important issues that impact on the work of House of Representatives committees.

First, for many years the Procedure Committee has been disappointed that the amount of time for statements and debate in the House of Representatives on the output of committee work – their reports – is in no way commensurate with the importance of that work and the contributions made to it by Members and the community. The Procedure Committee has sought to redress this situation in the past with some success. However, the disparity persists.

In this report the Procedure Committee re-examines this issue. With the second Chamber – the Main Committee – now operating successfully the scope for easily achieving additional time for debate of committee reports is readily available. Accordingly, the committee recommends some minor changes to procedures and practices and the associated standing orders of the House of Representatives to expand the time available to Members for debating committee reports.

The second issue the committee addresses is that the revised House of Representatives standing orders introduced on 16 November 2004 (amended on

8 February 2005) may have inadvertently created some uncertainty about whether committees can admit visitors to some private meetings. This issue is examined with a view to resolving the uncertainty by a further minor amendment to the standing orders.

The Procedure Committee is always keen to improve the procedures and practices of the House to assist Members in undertaking their roles in the Parliament. We know that the amendments recommended in this report will achieve this end.

**Margaret May MP**  
**Chair**



## **Membership of the Committee**

**Chair** Mrs M A May MP

**Deputy Chair** Mr D Melham MP

**Members** Hon B K Bishop MP

Mrs P Draper MP

Mr L Hartsuyker MP (from 31.5.05)

Ms K Hoare MP

Mr P Neville (to 31.5.05)

Hon L R S Price MP

## **Committee Secretariat**

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# **Terms of reference**

## **General terms of reference**

To inquire into and report on the practices and procedures of the House and its committees

## **Inquiry terms of reference**

Practices and procedures relating to committees including:

- arrangements for presenting committee reports;
- the amount of time allocated to committee work in the House and Main Committee; and
- attendance at committee meetings by non-members of the committee.





# List of recommendations

## Time allocated to committee work in the House and Main Committee

### Recommendation 1

The committee recommends that:

- the practice of presenting committee and delegation reports in the House on sitting Mondays continue;
- standing order 192 be amended on a trial basis during 2006 to extend the order of business of the Main Committee to have a dedicated weekly period of 4.00pm-6.00pm on sitting Mondays for the debate of committee and delegation reports if required;
- in the unlikely event that there are no committee or delegation reports to be debated, the period 4.00pm-6.00pm not be scheduled in the Main Committee by the Deputy Speaker; and
- the Procedure Committee review the trial in late 2006 so that if the arrangements are successful their operation would be ongoing.  
*(paragraph 2.49)*

### Recommendation 2

The committee recommends that standing orders 1, 39(c), 40(b) and (c), 190(e) and 192(a) and (b) be amended (as indicated by underlining) by sessional orders for 2006, as follows:

- 1 Maximum speaking times

The maximum time limits that apply to debates, speeches and statements are as follows.

*section of table to be replaced on page 3 of the standing orders:*

<i>subject</i>	<i>time (max)</i>
<p><i>Committee and delegation reports on Mondays</i></p> <p><i>in the House</i></p> <p>Each Member</p>	<p>10 mins</p> <p>maximum, as allotted by the Selection Committee</p>
<p><i>in the Main Committee</i></p> <p>Each Member</p> <p><i>(standing orders 39, 40, 192(b))</i></p>	<p>10 mins</p>

### 39 Presentation of reports

(c) The Member presenting a report may move without notice, a specific motion in relation to the report. When a report has been presented on Monday under paragraph (a)(i) debate on the question shall be adjourned to a later hour and a motion may be moved that the report be referred to the Main Committee. In other cases debate shall be adjourned to a future day.

### 40 Resumption of debate on reports

(b) For debate in accordance with paragraph (a) the Selection Committee shall set:

- (i) the order in which motions are to be considered;
- (ii) time limits for the whole debate; and

(iii) time limits for each Member speaking, of not more than 10 minutes.

(c) During the period provided by *standing order 192* proceedings may be resumed in the Main Committee on motions in relation to committee and delegation reports referred that day or on an earlier day.

#### 190 General rules for suspensions and adjournments of the Main Committee

The following general rules apply to meetings of the Main Committee:

(e) The Committee shall stand adjourned at 6 pm when the committee meets on Mondays in accordance with *standing order 192(b)*, or on completion of all matters referred to it, or may be adjourned on motion moved without notice by any Member –

*That the Committee do now adjourn.*

#### 192 Main Committee's order of business

(a) If the Committee meets on a Wednesday or Thursday the normal order of business is set out in figure 4.

(b) On sitting Mondays the Committee shall meet from 4 pm to 6 pm if required to consider orders of the day relating to committee and delegation reports in accordance with *standing order 40 (resumption of debate on reports)*. (paragraph 2.50)

## Attendance at committee meetings by visitors

### Recommendation 3

The Committee recommends that standing orders 240 and 241 be amended (as indicated by underlining) as follows:

#### 240 Admission of visitors

- (a) A committee or a subcommittee may admit visitors when it is examining a witness or gathering information in other proceedings.
- (b) All visitors must leave if:

- (i) the Chair asks them to;
- (ii) the committee or subcommittee resolves that they leave; or
- (iii) the committee or subcommittee is deliberating or hearing witnesses in private.

#### 241 Admission of other Members

Other Members, who are not Members of the committee, may be admitted when a committee or subcommittee is examining a witness, or gathering information in other proceedings. Other Members must leave when the committee or subcommittee is deliberating or hearing witnesses in private, or if the committee or subcommittee resolves that they leave. (*paragraph 3.14*)



## **List of abbreviations**

JCPAA	Joint Committee of Public Accounts and Audit
MPI	Matter of public importance
PWC	Parliamentary Standing Committee on Public Works
SO	standing order



## Introduction

- 1.1 The Procedure Committee's recent report on the history of the committee clearly demonstrates that the committee is strongly motivated to improve the procedures and practices of the House and its committees so that Members can more effectively and efficiently undertake their roles.<sup>1</sup> The Procedure Committee has addressed issues related to committees in a number of its earlier reports including a major review of the House of Representatives committee system completed in May 1998, that is, *Ten years on: A review of the House of Representatives committee system*<sup>2</sup>. Other Procedure Committee reports address particular aspects of the operation of the committee system, for example: dealing with witnesses; application of modern technology to committees; promoting community involvement in committees; whether there should be a House Estimates system; and media coverage of committee proceedings.<sup>3</sup>

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- 1 See House of Representatives Standing Committee on Procedure. Nov 2005. *A history of the Procedure Committee on its 20<sup>th</sup> anniversary*. Canprint, Canberra, xxiv 164p.
- 2 House of Representatives Standing Committee on Procedure. May 1998. *Ten years on: A review of the House of Representatives committee system*. Department of the House of Representatives, Canberra, xiii 61p.
- 3 House of Representatives Standing Committee on Procedure. April 1989. *Committee procedures for dealing with witnesses*. Commonwealth Government Printer, Canberra, 11p.
- Nov 1994. *Application of modern technology to committee proceedings*. AGPS, Canberra, vii 16p.
- Oct 1999. *It's your House: Community involvement in the procedures and practices of the House of Representatives and its committees*. Department of the House of Representatives, Canberra, xviii 98p.

- 1.2 In March 2005 the Procedure Committee decided it was timely to look again at some critical committee procedure and practice matters, in particular, the time the House gave to debating committee reports. This was an issue which has been of continuing concern to the Procedure Committee and had been a recurring theme in a number of the committee's earlier reports.

## **Scope/ conduct of the inquiry and structure of this report**

- 1.3 More specifically, the Procedure Committee decided to consider standing order 39 relating to the presentation of reports of committees or delegations as well as other matters relating to committee practice and procedure.
- 1.4 As an initial step on 2 June 2005 the Procedure Committee held a round table meeting to discuss those issues with chairs and deputy chairs and other interested Members of House and joint committees administered by the Department of the House of Representatives.
- 1.5 The round table was successful and on 16 June 2005 in response to the matters raised the Procedure Committee resolved to undertake an inquiry into:
- Practices and procedures relating to committees including:
    - arrangements for presenting committee reports;
    - the amount of time allocated to committee work in the House and Main Committee; and
    - attendance at committee meetings by non-members of the committee.
- 1.6 The committee then wrote to the chairs and deputy chairs of all House committees and the Clerk of the House inviting each of them to make a submission to the inquiry. A detailed submission was received from the Clerk of the House and one member of the Procedure Committee, the Hon Roger Price MP, put forward a paper on the topic. A copy of those documents is at Appendix A and B respectively.

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Oct 2003. *House estimates: Consideration of the annual estimates by the House of Representatives*. Department of the House of Representatives, Canberra, xiv 55p.

Oct 2005. *Media coverage of House proceedings: Including the Chamber, Main Committee and committees: [Final report]*. Department of the House of Representatives, Canberra, xiv 95p.

- 1.7 The Procedure Committee also sent an email survey to all 150 Members of the House of Representatives seeking their views on the time available for committee business in the House and Main Committee. The survey was sent on 18 August 2005 with a return date of 9 September 2005. On 8 September 2005 a reminder email was distributed and the deadline for survey return extended to 14 September 2005. Thirty six responses were received (that is, a response rate of 24 per cent) and the responses to specific questions are presented in the relevant sections of the next chapter and the summary results are presented at Appendix C.
- 1.8 The rest of this report is structured according to the two issues the inquiry addresses, that is:
- Chapter 2 examines the presentation of committee reports and time allocated to committee work in the House and Main Committee; and
  - Chapter 3 addresses the attendance at committee meetings by visitors.



## **Time allocated to committee work in the House and Main Committee**

### **The need**

- 2.1 Many hours of backbench Members' time and thought is devoted to the inquiries undertaken by parliamentary committees. As well there are often many community participants to those inquiries. At the completion of their investigations committees table a report on their inquiry. For many years Members have complained about the limited time and arrangements in the House and Main Committee for the presentation and debate on committee reports. Generally only the chair and deputy chair have the opportunity to speak when a report is tabled in the House. Rarely is further opportunity afforded to other Members to speak and on some occasions no time is allocated for debate of a report. A committee chair can request the Chief Government Whip to refer the report to the Main Committee for further debate, however, there is often a significant time lag between tabling in the House and the debate in the Main Committee. The Members' survey confirmed lack of time is an ongoing concern for Members while Members are satisfied with the other arrangements for presenting and speaking on committee reports (see Appendix C).

- 2.2 The Procedure Committee has addressed the time issue on a number of occasions in the past with varying success.<sup>1</sup> The major change occurred in 1987 when on the committee's recommendation the House introduced a dedicated weekly period for the presentation and debate of committee and delegation reports, private Members' business, Members' 90 second statements and the grievance debate.<sup>2</sup> The Clerk's submission points out:

...The timing and structure of this period has been adjusted on numerous occasions since, usually as a result of Procedure Committee consideration, although not always in accordance with the committee's recommendations...<sup>3</sup>

Another significant change occurred in 1994 when the Main Committee was established allowing committee chairs to seek referral of their committee reports to that chamber for further debate.

- 2.3 Time taken on committee and delegation reports by both the House and Main Committee for the last two financial years is shown at Table 2.1. This reveals the small amount of time the House and Main Committee devote to all committee reports and the minimal time on a sitting Monday.

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1 See Appendix A - Clerk of the Department of the House of Representatives submission (hereafter referred to as Clerk's submission), pp 9-11 (original submission pagination), for details of the Procedure Committee's earlier reports and recommendations on time allocated for committee reports.

2 The Procedure Committee's initial report was not successful in achieving the changes but its follow up report was successful. Those reports were: House of Representatives Standing Committee on Procedure. May 1986. *Days and hours of sitting and the effective use of the time of the House*. AGPS, Canberra, pp 26-28; House of Representatives Standing Committee on Procedure. Nov 1987. *Improved opportunities for private Members: Proposed Sessional Orders*. AGPS, Canberra, 49p.

3 Clerk's submission, p 1.

**Table 2.1: Time for committee and delegation reports in the House of Representatives and the Main Committee 2003-04 and 2004-05**

	2003-04		2004-05	
	Number of hours	% of total sitting/meeting hours	Number of hours	% of total sitting/meeting hours
<b>House of Representatives:</b> Total sitting hours (excluding suspensions)	694		467	
House time for presentation and consideration of all committee reports	14	2	5	1
House time for presentation and consideration of committee reports on a sitting Monday	8	1	3	<1
<b>Main Committee:</b> Total meeting hours	154		123	
Main Committee time for consideration of all committee reports	25	16	5	4

Note: Number of hours rounded to whole hours

Source Department of the House of Representatives, Chamber Research Office. *Statistics data base*

- 2.4 The time lag between tabling of a report in the House and its debate in the Main Committee is shown at Appendix D. There has been a longer time delay from tabling to debate in the Main Committee in 2004-05 and 2005-06 than in 2003-04.
- 2.5 The Procedure Committee's recent report on its first twenty years of operation points to the limited speaking time allocated for the tabling and debate in the House and Main Committee of that committee's reports over many years.<sup>4</sup>
- 2.6 An indication of the effort that goes into committee work and the limited time available for that work in the House and Main

<sup>4</sup> House of Representatives Standing Committee on Procedure. Nov 2005. *A history of the Procedure Committee on its 20<sup>th</sup> anniversary*. Canprint, Canberra, Chapter 6.

Committee can be seen by looking in detail at the time taken for two very different committee reports.

- 2.7 Example 1 - In February 2004 after six months of extremely intensive work on the important high profile child custody inquiry, the House of Representatives Standing Committee on Family and Community Affairs received a total of 12 minutes speaking time during Government business in the House for the chair and deputy chair to speak. There was also debate for a total of 3 hours 24 minutes in the Main Committee spread over three days for 15 speakers of which six were non-committee Members (see Table 2.2 and Appendix D). As detailed later, each speaker had a time limit of 15 minutes.
- 2.8 Example 2 - The House of Representatives Standing Committee on Economics, Finance and Public Administration for its bi-annual report on the Reserve Bank of Australia addressing Australia's monetary policy received a total of 10 minutes speaking time for the chair and deputy chair in the House. A month later in the Main Committee two speakers, both committee Members, spoke for a total of 23 minutes. In this case while the time input of the Economics Committee is considerably less than that of the Family and Committee Affairs Committee, it is a very intensive effort and the topic demands timely reporting. Decisions on interest rates and other aspects of monetary policy are of great interest to the community, financial sector worldwide and the media and the work the Economics Committee undertakes is the major mechanism of public accountability of the Bank to the Parliament and community on this matter (see Table 2.3 and Appendix D).

**Table 2.2: Example 1 - Comparison of committee and community effort on a committee report and the time available for the report in House and Main Committee**

**House of Representatives Standing Committee on Family and Community Affairs: Child custody inquiry**

**Report: *Every picture tells a story: Report on the inquiry into child custody arrangements in the event of family separation***

Inquiry referred 26 June 2003 with reporting date of 31 December 2003

**Committee and community efforts**

- Received 1716 submissions; 15 form letters from a total of 355 contributors; 216 exhibits
- 21 public hearings held all over the country in 2.5 months (that is, between 23 August & 12 November 2003) with 166 witnesses representing themselves or 105 organisations
- 188 three minutes statements given at 14 of those public hearings
- 240 page report
- Numerous private meetings related to the inquiry

**Time for presentation and debate in House and Main Committee**

- Report tabled by handing it to Speaker 29 December 2003
- Report tabled in House 10 February 2004 and referred to Main Committee same day
  - Total time 12 minutes with statement by chair and deputy chair
- Three sessions for debate in Main Committee on 11, 12 and 18 February 2004 (commencing one day after tabling)
  - Total time for debate 3hours 24 minutes
  - 15 speakers of which six were non-committee members
- Government response tabled 23 June 2005

**Table 2.3: Example 2 - Comparison of committee and community effort on a committee report and the time available for the report in House and Main Committee**

**House of Representatives Standing Committee on Economics, Finance and Public Administration: Inquiry into the Reserve Bank of Australia**

**Report: *Review of the Reserve Bank of Australia annual report 2004 (First report)***

Inquiry initiated by Committee in February 2005 and is based on the Reserve Bank of Australia's quarterly statement on monetary policy

**Committee and community efforts**

- Pre-hearing briefings on 10 February 2005 from two economists
- Major hearing with Governor of the Reserve Bank on 18 February 2005 (some 250 members of community present, including approx 150 secondary school students; about 50 media present; hearing audio televised by Bloomberg to financial sector)
- 30 page report
- Critical issue is timeliness as Reserve Bank of Australia's statements on monetary policy are released every three months

**Time for presentation and debate in House and Main Committee**

- Report handed to Speaker out of session 7 April 2005
- Report tabled in House 23 May 2005 and referred to Main Committee 22 June 2005
  - Total time 10 minutes with statement by chair and deputy chair
- One session for debate in Main Committee on 22 June 2005 (one month after House tabling)
  - Total time for debate 23 minutes
  - Two speakers – both committee members
- Government response yet to be tabled

2.9 It is perhaps fair to say that the House committee system has been underutilised and overshadowed in the past, by comparison with the committee system in the Senate.<sup>5</sup> With the change in the balance of power in the Senate, the House committees both will and should become a more significant way of examining issues and legislation. Thus committees should be accorded greater priority in the programming of House time. In particular, committee reports should not be debated many weeks after their tabling.

2.10 As the limited time available for the presentation and consideration of committee reports continues to be a major flaw in the proceedings of

5 A comprehensive committee system was established in the Senate in 1970 and in the House in 1987.

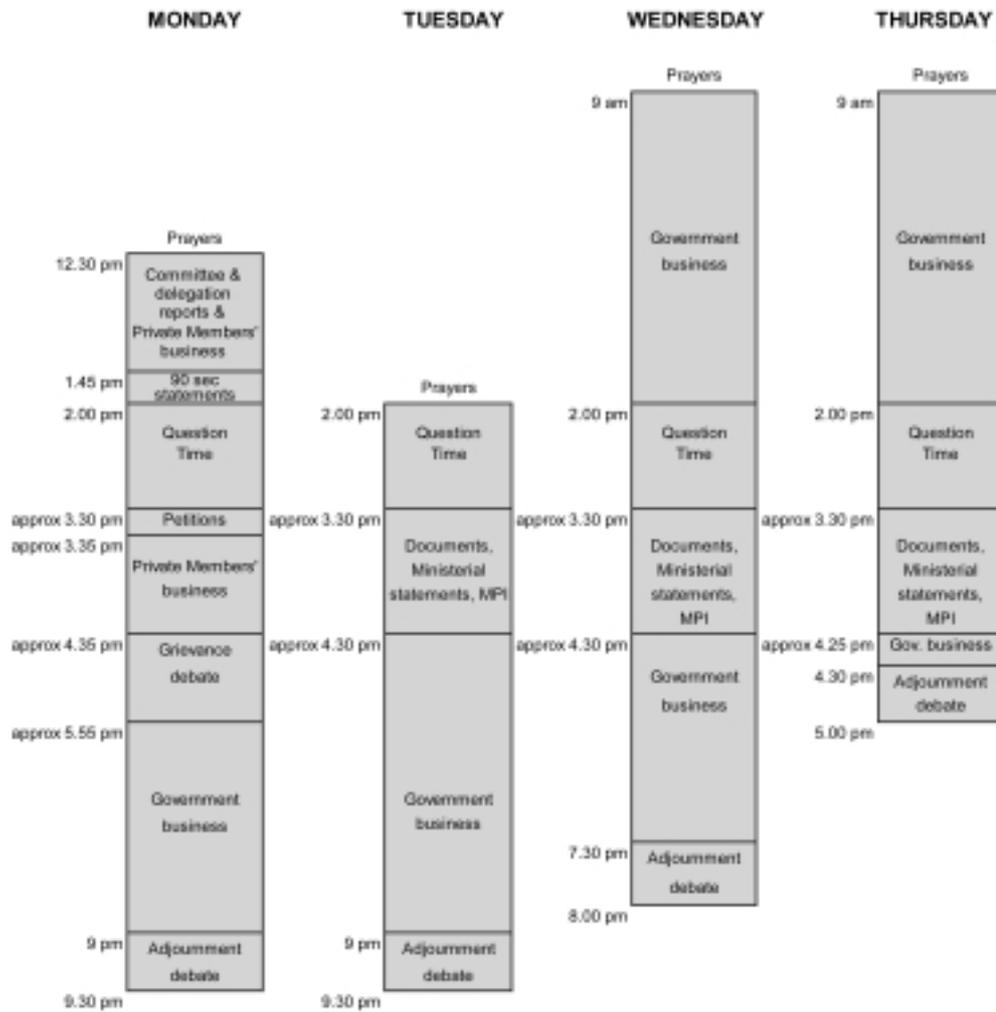
the House and a significant concern for Members, the Procedure Committee decided to examine the issue again.

- 2.11 At the outset the Committee stresses that if changes are achieved there is a responsibility on backbench Members to use the additional time available.

## Current practice

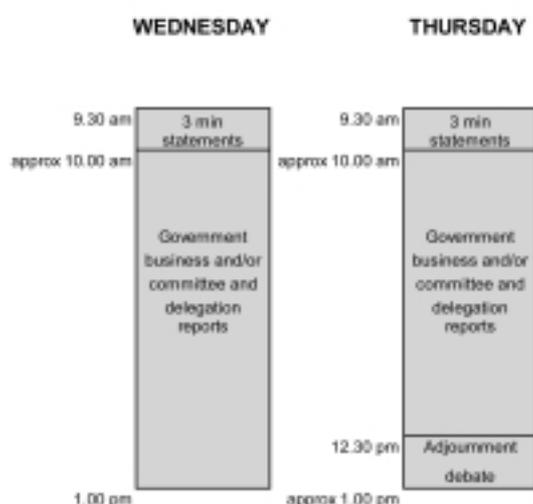
- 2.12 The House and Main Committee order of business is set out at Figures 2.1 and 2.2 respectively. Figure 2.1 shows that the 1.25 hour period before 1.45 p.m. on Monday for committee and delegation reports and private Members' business is a small proportion of the time of the House and part of that time is devoted to private Members' business. Figure 2.2 shows that the order of business of the Main Committee is mainly allocated to committee and delegation reports or Government business. In practice most of this time goes to Government business.
- 2.13 Standing orders 39 and 40 provide for the presentation and debate of committee and delegation reports (see Table 2.4). Whilst there is provision after presentation of reports on Mondays, for proceedings to resume in the House on motions moved in relation to committee and delegation reports on an earlier day, in practice this does not occur. Instead, the Selection Committee accords priority to private Members' business. Standing order 247 provides special arrangements for presenting a report to the Speaker (or Deputy Speaker if the Speaker is unavailable) and the report's publication, printing and distribution as well as its later presentation to the House.

Figure 2.1: House of Representatives order of business



Source House of Representatives. 2005. *Standing orders as at 8 February 2005*. Department of the House of Representatives, Canberra, p 25.

Figure 2.2: Main Committee order of business



Source House of Representatives. 2005. *Standing orders as at 8 February 2005 were amended by sessional order on 10 August 2005*. Department of the House of Representatives, Canberra, insert.

Table 2.4: Standing orders 39 and 40

### 39 Presentation of reports

(a) Members can present reports of committees or delegations:

- (i) as agreed by the Selection Committee, following prayers on Mondays; or
- (ii) at any time when other business is not before the House.

(b) Members can make statements in relation to these reports:

- (i) during the special set period on Mondays (*standing order 34*); the Selection Committee shall set time limits for statements, of not more than 10 minutes for each Member; or
- (ii) at any other time, by leave of the House.

(c) The Member presenting a report may move without notice, a specific motion in relation to the report. Debate on the question shall be adjourned to a future day.

### 40 Resumption of debate on reports

(a) After the presentation of reports on Mondays proceedings may be resumed on motions moved in relation to committee and delegation reports on an earlier day.

(b) The Selection Committee shall set:

- (i) the order in which motions are to be considered;
- (ii) time limits for the whole debate; and
- (iii) time limits for each Member speaking, of not more than 10 minutes.

Source House of Representatives. 2005. *Standing orders as at 8 February 2005*. Department of the House of Representatives, Canberra, pp 26-27.

2.14 Current practice for committee report presentation and debate can be summarised as follows:

- under SO 222 the timetable and order of business for committee and delegation reports and private Members' business on Monday's is the responsibility of the Selection Committee which reports its determinations to the House (usually on a Tuesday) in time for its decisions to be published on the Notice Paper of the sitting Thursday before the Monday being considered;
- the first period following prayers at 12.30pm on Monday is reserved for presentation of parliamentary committee and delegation reports and private Members' business;
- SO 39(b)(i) states that during the special period on Mondays the Selection Committee shall set time limits for statements, of not more than 10 minutes for each Member. However, the Selection Committee often has to assess a range of competing priorities with the result that it is not always possible for each Member to receive the maximum 10 minute speaking time. Often the total time for each report will be 10 minutes with two speakers each with five minutes speaking time ; and
- following the presentation of the report in the House and the moving of a motion to take note of the report, the order for the day for the resumption of the debate on the motion may be referred to the Main Committee. Some committee chairs write to the Chief Government Whip requesting referral of their reports to the Main Committee and listing speakers. Under SO 1 when debate resumes the mover (of the take note motion) will have up to 20 minutes and each other Member will have a maximum speaking time of 15 minutes (more than they receive at tabling in the House).<sup>6</sup>

2.15 The Clerk's submission notes that in 2003-04 of the 68 general purpose standing and joint committee reports presented in the House (excluding reports from the Parliamentary Standing Committee on Public Works - PWC) only 18 reports were referred to the Main Committee for further debate.<sup>7</sup> In 2004-05 of the 39 general purpose standing and joint committee reports presented in the House

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6 Clerk's submission, pp 1-2.

7 Clerk's submission, p 2.

(excluding reports from the PWC) only three were referred to the Main Committee for further debate.<sup>8</sup>

- 2.16 An important factor in the small number of referrals is the time lag between tabling the report in the House and its debate in the Main Committee. Appendix D shows this is particularly evident in 2004-05 and 2005-06 to date. Committees want to table their report and make statements on them on the same day. As a result of the unpredictable time lag many committees are reluctant to seek to have their reports referred to the Main Committee and on other occasions when a report is referred the time delay means that it is more difficult to get Members to speak on a report. The time lag means that the impetus generated in tabling of the report is lost.
- 2.17 A further factor in relation to 2004-05 is that 2004 was a federal election year. Many reports during the period were tabled prior to the dissolution of the House before the federal election in October, and many other reports were tabled at the end of the period before the winter recess. This timing meant that the House was dissolved or not sitting following the tabling of the reports.
- 2.18 SO 39(a)(ii) provides that Members can present reports of committees or delegations at any time when other business is not before the House. With the exception of the tabling of PWC and some other reports (see later in this chapter and Appendix D), this option is rarely used as statements in relation to the report would impact on the time available for Government business.

## Some constraints and principles

- 2.19 The underlying principles and other constraints that need to be considered before examining options to achieve more time for the presentation and debate of committee reports are outlined below.

### 1. Number of reports: variable and unpredictable demand for time

- 2.20 The Clerk's submission<sup>9</sup> suggests that on average the number of reports ready for presentation in any sitting week varies from none to

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8 *Department of the House of Representatives 2004-05 annual report*. Sept 2005. Canprint, Canberra, Appendix 3, pp 97-98; *House of Representatives Notice paper*, 3 August 2004 to 23 June 2005.

9 Clerk's submission, p 3.

about six to eight.<sup>10</sup> However, towards the end of a sitting period there are likely to be more reports as committees finalise their work before a long adjournment.

- 2.21 Due to past problems with scheduling of committee reports the Selection Committee seeks assurance from a committee that it has formally adopted a report before the Selection Committee will allocate time for presentation of that report. This means that a committee may have to wait several weeks between completing a report and presenting it. For example, a report adopted by a committee during one sitting fortnight may be considered by the Selection Committee and tabled in the next sitting fortnight with a two week non-sitting fortnight in between.
- 2.22 The number of reports to be presented is finalised at least a week in advance of their presentation when the Selection Committee meets (usually on a sitting Monday) to consider the program of business for the next sitting Monday. The Procedure Committee believes it would be helpful if the Selection Committee were able to meet later in the week to reduce the delay between a committee's adoption of a report and its tabling. Committees would be very appreciative of any additional flexibility the Selection Committee was able to provide in these procedures.
- 2.23 Committees recognise that not all of their reports need the same amount of time for statements or debate and usually adjust their requests for time to the Selection Committee accordingly.
- 2.24 The combining of committee and delegation reports and private Members' business means the Selection Committee has flexibility in time allocation, in that if there are fewer reports for presentation the Selection Committee can schedule more time for private Members' business.
- 2.25 A factor in the time available is that the House may not sit on a Monday or sitting Mondays are lost due to public holidays. During 2005 there are scheduled to be 18 sitting weeks but only 13 sitting Mondays. The Procedure Committee notes that a past proposal by the Chief Opposition Whip for the House to sit on 7 October 2005 as a private Members' day to make up for the lost sitting Mondays was not accepted by Government (see Appendix B, point 7).

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10 This estimate does not include reports of the Parliamentary Standing Committee on Public Works or the Joint Committee of Public Accounts and Audit which are presented outside the current Monday timeframe.

## 2. Regular and predictable sitting times and business programming

- 2.26 The Procedure Committee accepts that it is important for the House to have regular and predictable sitting times and order of business so that Members and others who work or deal with Parliament can plan and undertake their work efficiently.

## 3. Constraints on the total sitting time available

- 2.27 In his submission the Clerk advises that the sitting times of the House have been adjusted considerably in the past and options for further adjustment and flexibility are limited.<sup>11</sup>
- 2.28 Without adjustment to sitting times the time available for debate of committee reports can only be increased at the expense of other types of business, mainly Government business or private Members' business. The Clerk's submission states that:
- ...The current standing orders already encompass flexibility to use private Members' business time to accommodate the tabling of committee and delegation reports but the Selection Committee has demonstrated that it does not favour this approach.<sup>12</sup>
- 2.29 The establishment of the Main Committee in 1994 provided a significant increase in the time available for debate. It also meant all Members of the House may have the opportunity to speak on committee reports, not just committee members. While there is considerable scope for expansion of the hours of the Main Committee there are other constraints which have to be considered. These are discussed in the next section.

## 4. Constraints on the business of the Main Committee

### Main Committee business derives from, and is finalised in, the Chamber

- 2.30 It should be noted that under SO 186 the Deputy Speaker sets the meeting times of the Main Committee and the Main Committee cannot meet when the House is not sitting. The Main Committee is a subordinate body to the House receiving its business from the House and returning it to the House. The only 'business' which the Main Committee originates itself is statements by Members and papers tabled in association with the statements or with business which has

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11 Clerk's submission, p 3.

12 Clerk's submission, p 4.

been referred by the House, neither of which requires debate or decision.

2.31 The committee notes that the Clerk's submission states that:

...The presentation of a committee or delegation report and the moving of a motion to enable debate to take place, and potentially a decision made, in relation to it would be beyond the scope envisaged for the Main Committee. The House's power to delegate that degree of independence to a subordinate body could be open to question.

In addition, a committee is charged with inquiry and report to the House. Making its report to the Main Committee in place of, or prior to, reporting to the House could be considered a discourtesy to the House.

Perhaps almost simultaneous presentation to the House and further consideration by the Main Committee would resolve many of the difficulties. This would mean the Main Committee meeting on Mondays for committee and delegation report consideration, and possibly private Members' business.<sup>13</sup>

2.32 The Procedure Committee believes that the role of the Main Committee is an evolving one and thus does not agree that any discourtesy would be involved. It recognises, however, that the Main Committee as a determinant of its own business, involves a more fundamental issue.

2.33 As pointed out earlier, the Main Committee is often used for continuation of debate on committee reports which have already been presented in the House. In the past concerns have been raised about delays between tabling in the House and the resumption of the debate in the Main Committee. It should be noted that a recommendation by the Procedure Committee in year 2000 to use Wednesday evenings to consider committee and delegation reports and private Members' business under the programming control of the Selection Committee was not accepted.<sup>14</sup> The Government response stated that:

The time currently available in the main Chamber and the Main Committee is sufficient for debate on those matters

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13 Clerk's submission, p 4.

14 House of Representatives Standing Committee on Procedure. July 2000. *The second chamber: Enhancing the Main Committee*. Department of the House of Representatives, Canberra, pp 50-54.

which it is agreed will be allocated parliamentary business time...

...If the quantity of business is such that the Main Committee needs to sit additional hours, this occurs as necessary by agreement of the whips.<sup>15</sup>

### **Main Committee meeting when the House is not sitting**

2.34 The Procedure Committee sought additional advice from the Clerk on constraints, considerations or principles applying, other than SO 186, to prevent the Main Committee meeting when the House is not sitting. In response the Clerk's stated:

...My short response is that I can see no objections in principle, and in fact believe that there could be a number of advantages if this became common practice.

...

Initially, the Main Committee was considered to be on trial. Today, it has more fully justified its existence. It would not be inappropriate to explore the expansion of some of the earlier limitations, without changing the role of the Main Committee as being subordinate to the Chamber.

In my initial submission to the committee's current inquiry, I recommended that the Chamber should be the original source of parliamentary business and the final determinant.

However, within these parameters I think there is still scope for expansion. One such change would be permitting the Main Committee to meet when the House is not sitting...<sup>16</sup>

## **5. Timing of the debate on committee reports**

2.35 The Clerk's submission suggests that there are two broad views on this issue.<sup>17</sup> First, that the rationale underpinning the timing of the debate on a committee report may be viewed as being similar to the rationale for debating a government bill, that is, after a government bill is presented and the second reading speech explaining the bill delivered by the Minister, the debate is adjourned to give the House

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15 *Government response to the report of the House of Representatives Standing Committee on Procedure: The second chamber: Enhancing the work of the Main Committee*. June 2002, p 4. cited 18/10/05, [www.aph.gov.au/house/committee/proc/reports/secondchamber/govtresp.pdf](http://www.aph.gov.au/house/committee/proc/reports/secondchamber/govtresp.pdf)

16 Clerk's supplementary submission, 2p (see end of Appendix A).

17 Clerk's submission, pp 4-5.

time to digest both the bill and the Minister's speech. This means that Members wishing to speak to a report other than the Members who are on the committee presenting the report have time to consider the report and the chair's tabling statement. On the other hand, this gap may mean that any contribution by committee Members lose impact and other (non-committee) Members don't put their name down to speak about the report.

- 2.36 Second, Members who are Members of the committee which has just reported are very familiar with the report and would probably like to debate the report immediately following its presentation.

## **6. New 15 minute in detail questioning on committee reports**

- 2.37 One Member of the Procedure Committee, the Hon Roger Price MP, suggested that statements on reports be made in the Main Committee and that a new procedure be introduced to allow 15 minute in detail questioning of the chair and/or deputy chair about a committee report be introduced at the conclusion of statements. The chair of the committee tabling the report would answer the question asked or refer it to another Member of the committee with expertise on the matter who is present in the Main Committee. Mr Price recommended that this procedure apply only to committee reports (not delegation reports) (see Appendix B).
- 2.38 This procedure is consistent with the principle of interventions (under SO 66A) in the Main Committee and sits comfortably with the interactive character of the Main Committee.
- 2.39 While the Procedure Committee examined this issue in detail it considered that as a first step it is more appropriate to remind Members that during consideration of any order of the day (including the debate of motions moved in relation to committee reports) interventions can be used. The committee welcomes interventions during the debate of committee reports in the Main Committee and encourages Members to pursue their use.
- 2.40 Given the evolving role of the Main Committee the Procedure Committee would propose reconsidering the suggestion of an in detail questioning period on committee reports when the recommendation related to getting more time for debate of committee reports has been implemented and operating for about a year, and is subject to review by the committee.

## 7. The need for continuing flexibility

- 2.41 The Clerk's submission also notes that it is current practice of the House for certain committees to report at times other than that managed by the Selection Committee.<sup>18</sup> It is important to maintain this flexibility for presenting and making statements on committee reports. Examples of other arrangements are:
- the PWC regularly reports on a sitting Tuesday and/or Wednesday in the afternoon after a matter of public importance (MPI) so that a government approval of works motion related to the work reported on by the Committee can be moved the following day;
  - the Joint Standing Committee on Treaties reports at other times to fulfil the Government requirement of reporting 15 days (or 20 days in some cases) before action is taken to bind Australia at international law to the terms of a treaty;
  - the Parliamentary Standing Committee of Public Accounts and Audit (JCPAA) and the Joint Statutory Committee on ASIO, ASIS and DSD may report during Government business; and
  - other committees reporting, especially on bills inquiries, to fulfil a short reporting deadline imposed by the House.
- 2.42 The Procedure Committee supports the need for this continuing flexibility.

## 8. Equality of opportunity for House joint committee members with their Senate joint committee colleagues

- 2.43 In his submission the Clerk points out that with little notice joint committees are able to table a report and speak to it on any sitting day in the Senate. This is a facility which is currently not available to House joint committee Members with the result that the report is usually tabled in the House later than it is tabled in the Senate.<sup>19</sup> Should House joint committee Members be given the same flexibility as their Senate joint committee colleagues have?
- 2.44 While this would be desirable, the Procedure Committee recognises that this is unlikely to be practicable at this time.

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18 Clerk's submission, p 5.

19 Clerk's submission, p 5.

## Some options

2.45 There are limited options for achieving more time for presenting and debating committee reports, namely:

- increasing the sitting time of the House;
- changing the existing order of business of the House; and
- increasing the meeting time of the Main Committee.

2.46 The Members' survey (see Appendix C) revealed that Members:

- do not favour increased sittings of the House;
- do not wish to reduce the time available to debate private Members' business;
- have mixed views on transferring debate of private Members' business to the Main Committee;
- do favour increased sittings in the Main Committee to achieve more time to present and debate committee reports; and
- would support a proposal to permit debate of committee reports to start in the Main Committee.

Changes to specific sitting times Members would favour in the Main Committee were not canvassed in the survey.

2.47 An expansion of the options outlined above as presented in the Clerk's submission<sup>20</sup>, and from other proposals, is presented at Table 2.5 together with a discussion of the advantages and disadvantages of the options.

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20 Clerk's submission, pp 6-8.

**Table 2.5: Some options for achieving more time for presenting and debating committee reports**

Proposal	Advantages/ Disadvantages
<b>1. Increasing the sitting time in the House</b>	
<p><b>a) Earlier Tuesday starting time: 12.30pm-2.00pm for committee and delegation reports</b></p> <p><b>Variation 1: Government business take precedence if time not required for committee and delegation reports</b></p> <p><b>Variation 2: Early meeting time on Tuesday to be optional depending on need</b></p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>▪ High degree of flexibility without intrusion on other business</li> <li>▪ Opportunity for reports to be tabled on weeks when Monday is not a sitting day</li> <li>▪ Could bring PWC, JCPAA and Audit and other committee reports not normally tabled on Monday into the Selection Committee process wherever possible</li> <li>▪ More flexibility for committees to get reports printed and ready for tabling</li> <li>▪ Regular 12.30pm start would slightly reduce complexity of sitting timetable as Monday and Tuesday would have same start and finish times</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ Possible overlap with party business time (parties meet on Tuesday mornings – though the Senate currently meets at 12.30pm and party meetings would presumably take account of this)</li> <li>▪ If early sitting is optional – uncertainty for Members and others and increased complexity of managing support services for variable start time</li> <li>▪ If spare time given to government business might lead to expectations or pressure from government for how much time they have on any particular day</li> </ul>
<p><b>b) Earlier Monday starting time: 11.00am or 11.30am for committee and delegation reports</b></p> <p><b>Price proposal: Earlier Monday sitting from 10.30am-12.30pm</b></p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>▪ Keeps committee business together in one time slot</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ Does not provide the same flexibility for committees to cover public holiday Mondays as the Tuesday option</li> <li>▪ Same issues would arise in determining what to do about the time that was not needed for reports on any particular day (see Tuesday option above)</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Difficult for some Members to get to Canberra earlier if needed</li> </ul>
<p><b>c) Later Thursday finishing time: 4.30pm-(say) 7.30pm for further debate of committee and delegation reports and private Members' business</b></p> <p><b>Variation : Selection Committee could manage this time and use it mainly for private Members' business thus freeing up time on Monday for more timely debate on committee reports presented that day</b></p>	<p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ Would need agreement or standing orders modified to defer calls for a quorum or division during this period</li> <li>▪ Members may not be keen to delay their departures on Thursday</li> </ul>
<p><b>2. Changes within the existing order of business</b></p>	
<p><b>a) Private Members' business reduced and focused in the time slot after question time</b></p>	<p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ Not favoured by the Selection Committee</li> <li>▪ Not favoured by the Members' survey</li> </ul>
<p><b>b) Grievance debate moved to Main Committee to regular Tuesday afternoon/early evening sitting for 30 minutes with extra 30 minutes for Members' statements beforehand. This would free up approx 4.35pm-5.55pm time slot for committee and delegation reports</b></p>	<p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ Members may not favour loss of Grievance debate from House</li> </ul>

<b>3. Dedicated time in the Main Committee for committee reports</b>	
<p>a) Monday or Tuesday afternoon or evening say Monday 3.15pm-5.15pm for committee and delegation reports and private Members' business – motions would be moved and reports tabled as in current sitting program but with all debate in the Main Committee</p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>▪ Fulfils Members' request to debate report on the same day as presentation</li> <li>▪ Would not unduly interfere with current practice of Main Committee late afternoon/ evening (in 2005 starting at 4.00pm or 5.00pm until about 9.30pm) budget debate at certain times of year</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ Possible overlap with Question Time</li> <li>▪ Overlap with time of private Members' business in the House</li> </ul>
<p>b) Monday 4.00pm-6.00pm for committee and delegation reports</p>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>▪ Fulfils Members' request to debate report on the same day as presentation</li> <li>▪ Meeting of the Main Committee unlikely to be suspended as a result of a division in the House – time substantially coincides with private Members' business and Grievance debate</li> </ul> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ May interfere with current practice of Main Committee late afternoon/ evening (in 2005 starting at 4.00pm or 5.00pm until about 9.30pm) budget debate at certain times of the year</li> <li>▪ Overlap with time of Grievance debate in the House</li> </ul>
<p>c) Price proposal – Monday 11.00am-1.45pm for statements on committee reports</p> <p><b>Other components:</b></p> <ul style="list-style-type: none"> <li>▪ Under SO 247 all reports sent to Speaker and published etc. even when they are proposed to be tabled in the House shortly thereafter</li> <li>▪ New procedure in</li> </ul>	<p><b>Advantages</b></p> <ul style="list-style-type: none"> <li>▪ The receipt of the report by the Speaker would allow the public release of the report at 8.00am on a sitting Monday thus allowing all Members, public and media early copies of the report</li> <li>▪ Allows other Members to make statements about the report on a timely basis</li> <li>▪ Detailed questioning in Main Committee sits more comfortably with the interactive character of the Main Committee</li> <li>▪ Minimises the time for tabling in the House</li> <li>▪ Allows more time for private Members' motions in the House</li> <li>▪ Committee could hold media conferences anytime on the</li> </ul>

<p><b>Main Committee to allow 15 minute in detail questioning of the chair and/or deputy chair about a committee report at the conclusion of statements in the Main Committee. Chair can answer question or refer it to other Members of the committee with expertise on matter. (This procedure is not proposed to apply to delegation reports)</b></p> <ul style="list-style-type: none"> <li>▪ <b>Current arrangements for formal tabling in the House continue but all statements be held over for the Main Committee</b></li> <li>▪ <b>Selection Committee to schedule debate in the Main Committee and if requested by committees the 15 minute detailed questioning process</b></li> </ul>	<p>Monday rather than having to wait for the report to be tabled after 12.30pm as is currently the case. This is not a consideration for regional media as they are just as likely to pick up a relevant story the next day</p> <p><b>Disadvantages</b></p> <ul style="list-style-type: none"> <li>▪ Requires a change to SO 186 which prevents the Main Committee meeting when the House is not sitting</li> <li>▪ More work for the Speaker's Office in receiving all committee reports</li> <li>▪ Minimises the time for tabling in the House</li> </ul>
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## Conclusion

- 2.48 Taking account of the constraints and principles outlined above and weighing the advantages and disadvantages of each of the options outlined, the committee draws the following conclusions for the reasons outlined. The committee concludes that:
- given the widely recognised significant effort that backbench Members devote to committee work, particularly their committee reports, and the contribution to this work by the community, there is a need to increase the time allocated for debating those reports;
  - given the pressure on business in the House, the additional time can most efficiently and effectively be achieved by expanding the hours allocated to committee work in the Main Committee;
  - in keeping with standing order 186 (that is, 'The Main Committee can meet at any time during the sitting of the House...') the additional hours allocated for committee business should be within the existing sitting hours of the House;
  - the preferred additional time is sitting Mondays 4.00pm-6.00pm which meets Members' requests to debate the report on the same day as presentation. This will require a change to standing order 39 (Presentation of reports), standing order 40 (Resumption of debate on reports), standing order 190 (General rules for suspensions and adjournments of the Main Committee) and standing order 192 (Main Committee's order of business);
  - to maximise debate on committee reports the additional hours be set aside for the debating of committee and delegation reports only (not Government business or private Members' business);
  - in keeping with current practice and the Main Committee receiving its business from the House, reports still be tabled in the House 12.30pm-1.45pm with statements;
  - in the unlikely event that there are no committee or delegation reports to be debated, the period 4.00pm-6.00pm not be scheduled by the Deputy Speaker;
  - arrangements for the extra time for debate on committee reports be made through the 'usual channels', including negotiation through the Whips, to build on well established processes already in place to arrange additional meetings of the Main Committee when there

are particular needs (such as special motions or time for Budget debate);

- as is current practice there would not be an automatic referral of reports. Chairs would need to initiate the referral by writing to the Chief Government Whip. There would need to be assurance that there were enough speakers to make the additional time worthwhile. A bid for time should be made including the names of committee Members wishing to speak (including the chair and deputy chair). Non-committee Members wishing to speak would put their names on speaking lists in Whips offices as currently occurs;
- the additional time on Monday in the Main Committee will give all committee Members the opportunity to speak on a committee report on the day of tabling;
- to give the maximum number of Members the opportunity to speak standing order 1 (Maximum speaking times) be changed so that when debating a committee report in the Main Committee on Monday each Member may speak for a maximum of 10 minutes;
- to enhance debate on committee reports Members are reminded of the option of using an intervention to ask a question about a committee report being debated in the Main Committee and are encouraged to use interventions in this context; and
- the additional hours and arrangements for debating committee and delegation reports be trialled during 2006 and reviewed by the Procedure Committee so that if the arrangements are successful their operation would be ongoing.

## Recommendations

### Recommendation 1

2.49 The committee recommends that:

- the practice of presenting committee and delegation reports in the House on sitting Mondays continue;
- standing order 192 be amended on a trial basis during 2006 to extend the order of business of the Main Committee to have a dedicated weekly period of 4.00pm-6.00pm on sitting Mondays for the debate of committee and delegation reports if required;
- in the unlikely event that there are no committee or delegation reports to be debated, the period 4.00pm-6.00pm not be scheduled in the Main Committee by the Deputy Speaker; and
- the Procedure Committee review the trial in late 2006 so that if the arrangements are successful their operation would be ongoing.

## Recommendation 2

2.50 The committee recommends that standing orders 1, 39(c), 40(b) and (c), 190(e) and 192(a) and (b) be amended (as indicated by underlining) by sessional orders for 2006, as follows:

### 1 Maximum speaking times

The maximum time limits that apply to debates, speeches and statements are as follows.

*section of table to be replaced on page 3 of the standing orders:*

<i>subject</i>	<i>time (max)</i>
<i>Committee and delegation reports on Mondays</i>	
<i>in the House</i>	
Each Member	10 mins
	maximum, as allotted by the Selection Committee
<i>in the Main Committee</i>	
Each Member	10 mins
<i>(standing orders 39, 40, 192(b))</i>	

### 39 Presentation of reports

(c) The Member presenting a report may move without notice, a specific motion in relation to the report. When a report has been presented on Monday under paragraph (a)(i) debate on the question shall be adjourned to a later hour and a motion may be moved that the

report be referred to the Main Committee. In other cases debate shall be adjourned to a future day.

#### 40 Resumption of debate on reports

(b) For debate in accordance with paragraph (a) the Selection Committee shall set:

- (i) the order in which motions are to be considered;
- (ii) time limits for the whole debate; and
- (iii) time limits for each Member speaking, of not more than 10 minutes.

(c) During the period provided by *standing order 192* proceedings may be resumed in the Main Committee on motions in relation to committee and delegation reports referred that day or on an earlier day.

#### 190 General rules for suspensions and adjournments of the Main Committee

The following general rules apply to meetings of the Main Committee:

(e) The Committee shall stand adjourned at 6 pm when the committee meets on Mondays in accordance with *standing order 192(b)*, or on completion of all matters referred to it, or may be adjourned on motion moved without notice by any Member –

*That the Committee do now adjourn.*

#### 192 Main Committee's order of business

(a) If the Committee meets on a Wednesday or Thursday the normal order of business is set out in figure 4.

(b) On sitting Mondays the Committee shall meet from 4 pm to 6 pm if required to consider orders of the day relating to committee and delegation reports in accordance with *standing order 40 (resumption of debate on reports)*.





## **Attendance at committee meetings by visitors**

### **The issue**

- 3.1 In undertaking their work House committees hold both public and private meetings. Private meetings allow the committee to deliberate in private on matters such as report consideration, to receive private briefings and to take evidence from witnesses in private.
- 3.2 The revised House of Representatives standing orders introduced on 16 November 2004 (amended on 8 February 2005) appear to have inadvertently created some confusion whether committees can admit visitors to their private meetings. This issue is examined with a view to eliminating the confusion.
- 3.3 In revising the standing orders it was not the Procedure Committee's intention to exclude visitors when a committee is holding all private meetings.
- 3.4 The principle the Procedure Committee is seeking is for a committee or subcommittee to have the power to decide who may be present at any of its meetings with the exception of deliberative meetings or private hearings (formerly called in camera hearings).

## Current practice

- 3.5 The relevant House standing orders compared with the former standing orders are shown in Table 3.1 with keywords italicised. The new standing orders differ from the former standing orders in that they refer to *private meetings*.

**Table 3.1 Current practice**

Current standing order	Former standing order
<p><b>235</b> <i>Proceedings and sittings of committee</i></p> <p>(a) A committee or a subcommittee may conduct proceedings using any means approved by the House and in the following manner:</p> <ul style="list-style-type: none"> <li>(i) in private meeting;</li> <li>(ii) by hearing witnesses, either in public or in private; and</li> <li>(iii) in the form of any other meeting, discussion or inspection conducted under the practice of committees of the House.</li> </ul>	
<p><b>240</b> <i>Admission of visitors (replaces former standing order 344)</i></p> <p>(a) A committee or a subcommittee may admit visitors when it is examining a witness or gathering information in other proceedings.</p> <p>(b) All visitors must leave if:</p> <ul style="list-style-type: none"> <li>(i) the Chair asks them to;</li> <li>(ii) the committee or subcommittee resolves that they leave; or</li> <li>(iii) the committee or subcommittee is conducting a <i>private meeting</i>.</li> </ul>	<p><i>Former standing order 344*</i></p> <p>When a committee or subcommittee is examining a witness, or engaged in other proceedings for the purpose of gathering information, visitors may be admitted. They shall withdraw if requested by the chair or if the committee or subcommittee resolves for their withdrawal. All visitors must withdraw when the committee or subcommittee <i>is deliberating or taking evidence in camera</i>.</p>

<p><b>241 Admission of other Members (replaces former standing order 345)</b></p> <p>Other Members, who are not members of the committee, may be present when a committee or subcommittee is examining a witness, or gathering information in other proceedings. Other Members must leave when the committee or subcommittee is conducting a <i>private meeting</i>, or if the committee or subcommittee resolves that they leave.</p>	<p><b>Former standing order 345</b></p> <p>Members of the House may be present when a committee or subcommittee is examining a witness, or engaged in other proceedings for the purpose of gathering information, but shall withdraw if the committee or subcommittee so resolves. They shall withdraw when the committee or subcommittee <i>is deliberating or taking evidence in camera</i>.</p>
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Note: \* Standing Order 344 was subject to review by the Procedure Committee in relation to the power of a member to require that visitors withdraw. The Procedure Committee recommended that SO 344 be modified to prevent this. See: House of Representatives Standing Committee on Procedure. June 2003. *Sessional Order 344*. Department of the House of Representatives, Canberra, ix 20p.

Source Clerk of the Department of the House of Representatives, submission, pp 12-13.

- 3.6 For comparative purposes the equivalent Senate SO 36 set out below addresses both public and private meetings.

**Senate SO 36**

Persons other than members and officers of a committee may attend a public meeting of a committee but shall not attend a private meeting except by express invitation of the committee, and shall always be excluded when the committee is deliberating.

## Areas of clarification

- 3.7 The former wording of SO 240 only excluded visitors from private meetings when the committee or subcommittee was deliberating or taking evidence in camera. The substitution of the broader term 'private meeting' to cover the narrower terms 'deliberating or taking evidence in camera' means that the option of having visitors at some private meetings has been removed.
- 3.8 The Clerk's submission notes that under SO 240 it is not clear how to handle visitors' attendance at private briefings (a form of private meeting) which are used by committees to gather information

informally on an inquiry or to brief the committee on topics which are not associated with a particular inquiry.<sup>1</sup>

3.9 While SO 240(a) states that 'A committee or subcommittee may admit visitors when it is examining a witness or gathering information in other proceedings.', SO 240(b) states that 'All visitors must leave if:...(iii) the committee or subcommittee is conducting a private meeting.'

3.10 Under SO 241 there is similar ambiguity in relation to the admission of other Members.

3.11 In addition, under SO 240 the committee or subcommittee 'admits' visitors but under SO 241 other Members 'may be present'. The Clerk's submission suggests that the words 'may be present' may imply that other Members may be present on their own initiative without the invitation from the committee.<sup>2</sup>

3.12 The Clerk's submission states that:

...It would seem clear that the principle be that the committee should have the power to decide who may be present at any of its meetings with the exception of deliberative meetings or private (in camera) hearings. Having people who are not members or staff of the committee (or witnesses) at either of these types of meetings increases the risk of a breach of privilege occurring and has the potential to threaten the integrity and credibility of the committee system.<sup>3</sup>

## Conclusion

3.13 As suggested by the Clerk's submission<sup>4</sup> the Committee believes that the uncertainty surrounding whether visitors and Members can attend private meetings of a committee or subcommittee can be removed by:

- omitting the reference to the general term *private meeting* from standing orders 240 and 241 and replacing it with *deliberating or hearing witnesses in private*; and

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1 Clerk's submission, p 14.

2 Clerk's submission, p 14.

3 Clerk's submission, p 14.

4 Clerk's submission, p 14.

- in standing order 241 in the phrase 'Other Members...may be *present*' removing the word '*present*' and substituting '*admitted*' so that the initiative is with the committee to determine whether it will permit the attendance of other Members.

## Recommendation

### Recommendation 3

- 3.14 The Committee recommends that standing orders 240 and 241 be amended (as indicated by underlining) as follows:

#### 240 Admission of visitors

- (a) A committee or a subcommittee may admit visitors when it is examining a witness or gathering information in other proceedings.
- (b) All visitors must leave if:
  - (i) the Chair asks them to;
  - (ii) the committee or subcommittee resolves that they leave; or
  - (iii) the committee or subcommittee is deliberating or hearing witnesses in private.

#### 241 Admission of other Members

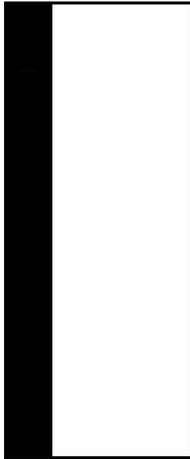
Other Members, who are not Members of the committee, may be admitted when a committee or subcommittee is examining a witness, or gathering information in other proceedings. Other Members must leave when the committee or subcommittee is deliberating or hearing witnesses in private, or if the committee or subcommittee resolves that they leave.

Margaret May MP

Chair

10 November 2005





## **Additional comments Hon Roger Price MP**

I support the recommendations of the report which represent an incremental improvement in the opportunities for Members and in particular participating committee Members to speak in a timely fashion on committee reports.

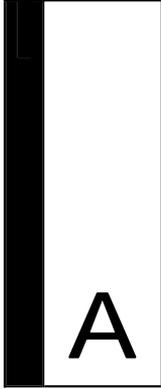
However I do have two reservations. The first is entrenching the '5 Minute Rule' where committees are afforded two speakers for 5 minutes to table and speak on their report in the House. Secondly, whilst the additional sitting of the Main Committee on a Monday is welcome it may not necessarily be free of interruption from divisions.

Furthermore I had the opportunity to submit draft proposals for consideration of the Procedure Committee. I am grateful for the consideration the committee gave to the proposals and the additional refinement contemplated by the committee, namely, that reports could be initiated and dealt to finality in the Main Committee which would have been a significant evolution in the function of the Main Committee.

I share with all other Procedure Committee Members the desire that the recommendations will work, however, should for whatever reasons the changes not be as effective as anticipated then I trust the committee might again consider the proposal to sit the Main Committee on sitting Monday mornings.

Lastly, the proposal for non-committee Members to be able to question for up to 15 minutes the Chair and Deputy Chair is consistent with the importance I attach to those positions as well as the interactive atmosphere developing in the Main Committee. Such a provision is again not inconsistent with the existing procedure with interventions in the Main Committee which has worked well when used. I do hope in the future that the Procedure Committee might be prepared to revisit this proposal.

Hon Roger Price MP



## Appendix A

### Clerk's submission

(Included at end of Appendix Clerk's supplementary submission)



# Inquiry into procedures relating to House committees

## Submission to the Procedure Committee by the Clerk of the House

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# 1. Presentation of committee reports and time allocated to committee work in the House and Main Committee

## ***Background***

For many years Members have expressed concern about the limited time available to speak to committee reports when they are presented or within a short time of presentation when the issues are still current. Members devote a great deal of time to committee inquiries and, on presentation, may be given a very limited time or no time at all to discuss the committee's work in the House. Additional time to debate a committee report may be provided in the Main Committee but it is not uncommon for this to occur a significant interval after presentation when the immediacy of the issues may have diminished.

The Procedure Committee has considered these matters and made various recommendations over the years since the House first allocated a dedicated time for presenting committee and delegation reports to the House.

Prior to 1987 committee reports were presented in an ad hoc way when other business was not before the House. This arrangement was extremely flexible but meant that each committee needed to negotiate for any time to speak to the report with the Government whose business took priority. Following the Procedure Committee's report on "Days and hours and the effective use of the time of the House" and its follow up report<sup>1</sup>, the House introduced a regular weekly dedicated period for presentation and debate of committee and delegation reports, private Members' business, Members' 90 second statements and the grievance debate. The timing and structure of this period has been adjusted on numerous occasions since, usually as a result of Procedure Committee consideration, although not always in accordance with the committee's recommendations. Significant points from these earlier reviews are summarised at the end of this section of the submission.

This submission outlines some of the issues around maximising opportunities for adequate debate on committee reports and sets out some options which might be considered. It does not recommend a particular course as each possibility has advantages and trade offs which need to be weighed up by Members.

## ***Current practice***

Standing orders 39 and 40, shown below, provide for presentation and debate of committee and delegation reports.

### ***39 Presentation of reports***

- (a) Members can present reports of committees or delegations:
  - (i) as agreed by the Selection Committee, following prayers on Mondays; or
  - (ii) at any time when other business is not before the House.
- (b) Members can make statements in relation to these reports:

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<sup>1</sup> House of Representatives Standing Committee on Procedure, *Days and hours of sitting and the effective use of the time of the House*, May 1986; and House of Representatives Standing Committee on Procedure, *Improved opportunities for private Members: Proposed sessional orders*, May 1987.

- (i) during the special set period on Mondays (standing order 34); the Selection Committee shall set time limits for statements, of not more than 10 minutes for each member; or
  - (ii) at any other time, by leave of the House.
- (c) The Member presenting a report may move without notice, a specific motion in relation to the report. Debate on the question shall be adjourned to a future day.

#### **40 Resumption of debate on reports**

- (a) After presentation of reports on Mondays proceedings may be resumed on motions moved in relation to committee and delegation reports on an earlier day.
- (b) The Selection Committee shall set:
  - (i) the order in which motions are to be considered;
  - (ii) time limits for the whole debate; and
  - (iii) time limits for each Member speaking, of not more than 10 minutes.

The timetable and order of business for committee and delegation reports and private Members' business is the responsibility of the Selection Committee. The committee reports its determinations to the House—usually on a Tuesday—in time for its decisions to be published on the Notice Paper of the sitting Thursday before the Monday being considered.

The first period following prayers at 12.30 p.m. on Monday is reserved for the presentation of parliamentary committee and delegation reports. *House of Representatives Practice* states that 'subject to any determination of the Selection Committee, the Member presenting a report and other Members may each speak for a maximum of 10 minutes'.<sup>2</sup> The Selection Committee often has a range of competing priorities to assess. For example, there can be a number of committees seeking to table reports on the same day with numerous Members seeking speaking time. In this situation, it is not possible for each member to receive the maximum of 10 minutes speaking time. In practice, the total speaking time for each report may, depending on the number of reports being tabled, be only 10 minutes in total or two speakers each with five minutes speaking time.

After presentation of a report in the House and the moving of a motion to take note of the report, the order of the day for the resumption of debate on the motion may be referred to the Main Committee. The party whips manage Main Committee business, not the Selection Committee.

An ongoing concern among Members is that debate in the Main Committee is not always timely and may occur when there is less public interest in the issues.

In 2003-04 there were 68 general purpose standing and joint committee reports (excluding reports from the Joint Standing Committee on Public Works) presented in the House. In the same period, 18 committee and delegation reports were referred to the Main Committee.<sup>3</sup>

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<sup>2</sup> House of Representatives Practice, 5<sup>th</sup> ed., 2005, p, 562.

<sup>3</sup> Department of the House of Representatives, *Annual Report 2003-04*, 2004, pp. 161-162.

## **Issues**

The fact that the arrangements for presentation and debate on committee reports have been tinkered with so much indicates that finding a system which is flexible enough to meet the varying needs of committees and their members yet is manageable and does not unacceptably interfere with other important business is extremely difficult. As this suggests, the chief issues are:

### **Variable and unpredictable demand**

The number of reports ready for presentation in any sitting week varies from none to, possibly, six or eight. This estimate does not include reports of the Joint Standing Committee on Public Works or the Joint Committee of Public Accounts and Audit which are numerous but presented outside the current Monday timeframe.

The actual number for any one week is usually only known about a week before the proposed presentation, that is, when the Selection Committee meets to consider the program of business for the next sitting Monday. There is a tendency for report presentations to be bunched towards the end of a sitting period as committees endeavour to get their reports finalised before a long adjournment. This can lead to increased demand for time for discussion of committee reports at a time when pressure on other business is also high.

Not all reports warrant the same amount of time dedicated to statements or debate but making judgments on which ones are more important can be problematic.

There may be some merit in committees providing the Selection Committee with planned tabling dates at the beginning of each new inquiry so that the committee can contemplate some strategic planning if other changes are made to improve flexibility. While committee work plans are subject to many changes over the course of an inquiry it might be possible to predict likely bottlenecks reasonably well in advance if the Selection Committee is kept informed of plans.

The Selection Committee has a heavy responsibility in managing the time available for committee and delegation reports and in balancing this with demand for private members' business. Understandably, before allocating time for reports it has sought assurances that they have been adopted formally. Given the nature of the usual sitting pattern, it is quite possible that a report could be adopted perhaps on the Tuesday of a sitting week, but not be presented for almost four weeks. It is obviously very helpful when the Selection Committee is able to accommodate such situations.

### **Limitations on total sitting time available**

The sitting times of the House have been adjusted many times over the years to try to deal with increasing legislative and other workloads and still allow Members adequate time for electorate, committee and other work away from Canberra. The introduction of the Main Committee in 1994 produced a significant increase in time available for debate.

Some options for extending sitting times for the House are included in this paper but these are relatively limited and inflexible. Sitting times of the Main Committee have considerable scope for expansion but there are some issues in relation to using the Main Committee more extensively for committee business especially tabling of reports.

Without an increase in the sitting hours or days the time available for discussion of committee reports can only be increased at the expense of some other types of business, chiefly government business or private Members' business. The current standing orders already encompass flexibility to use private Members' business time to accommodate the tabling of committee and delegation reports but the Selection Committee has demonstrated that it does not favour this approach.

### **Limitations on business in the Main Committee**

The Main Committee is a subordinate body to the House. It is essentially a debating chamber which receives its business from the House and returns it for final approval by the House. The only business which does not originate in the House are statements by Members and papers tabled in association with the statements or with business which has been referred by the House, neither of which require debate or decision. It is considered inappropriate for substantive business to be initiated in the Main Committee. The presentation of a committee or delegation report and the moving of a motion to enable debate to take place, and potentially a decision made, in relation to it would be beyond the scope envisaged for the Main Committee. The House's power to delegate that degree of independence to a subordinate body could be open to question.

In addition, a committee is charged with inquiry and report to the House. Making its report to the Main Committee in place of, or prior to, reporting to the House could be considered a discourtesy to the House.

Perhaps almost simultaneous presentation to the House and further consideration by the Main Committee would resolve many of the difficulties. This would mean the Main Committee meeting on Mondays for committee and delegation report consideration, and possibly private Members' business.

The Main Committee can, and often is, used for the continuation of debate on reports which have already been presented. The issue with this is how quickly the debate can be resumed after the initial tabling and statements in the House. This is a matter for the managers of Main Committee business to negotiate. In 2000 the Procedure Committee recommended a regular meeting of the Main Committee on Wednesday evenings to consider committee and delegation reports and private Members' business under the programming control of the Selection Committee.<sup>4</sup> This recommendation was not taken up.

### **The need for regular and predictable sitting times and business programming**

It is important for the House to have regular and predictable sitting times and order of business so that Members and others who work, or have dealings, with the Parliament can plan and carry out their work efficiently. This makes it difficult to program the degree of flexibility needed to accommodate the varying time requested for tabling and discussion of committee reports from week to week without intrusions on other business.

### **Differing views on the timing of debate on committee reports**

In one sense the rationale underpinning the timing of debate on a committee report may be viewed as being similar to the rationale for debating a government bill — after a government

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<sup>4</sup> House of Representatives Standing Committee on Procedure, *The Second Chamber: Enhancing the role of the Main Committee*, July 2000, p.53.

bill is presented and the second reading speech explaining the bill is delivered by a Minister the debate is adjourned to give the House time to digest both the bill and the Minister's speech. The appeal of debating a committee report immediately after it is presented and a Chair's tabling speech is made is most relevant to Members who are members of the committee which has just reported. However it is arguable that the rights of other Members of the House are equally important. These other Members may need time to consider the committee's report and the Chair's tabling statement before debating the report. Thus there is an argument that, for the majority of Members of the House (ie those members who were not on the committee and privy to the inquiry or report's formulation), debate on a committee report should occur at a time after the report is presented.

### **Dovetailing with report-related government motions for certain committees, government imposed deadlines or House imposed deadlines.**

Currently it is the practice of the House for certain committees to report at times other than that managed by the Selection Committee. For example the Joint Parliamentary Committee on Public Works (PWC) regularly reports in the afternoon after the MPI on sitting Tuesdays and/or Wednesdays so that a government approval of works motion related to the work reported on by the PWC can be moved the following day (ie Wednesday or Thursday). Thus it is in the Government's interests that PWC reports occur during government business time as it facilitates the orderly management of public works.

Similarly the Government has imposed a 15 day (or 20 day in some cases) deadline for the Joint Standing Committee on Treaties (JSCOT) to report before action is taken that will bind Australia at international law to the terms of the treaty. It is often not practical for the JSCOT to report via the Selection Committee Monday mechanism and thus it often (but not always) reports at other times in order to comply with this government imposed deadline.

In addition there are some cases where the House has imposed a fairly short reporting deadline on a committee making it very difficult for that committee to report via the Monday Selection Committee mechanism. This has been the case with some bills referred to committees for inquiry and an advisory report.

For the above reasons it seems prudent to preserve a degree of flexibility in any revised system to facilitate a range of options for the tabling and debate of committee reports.

### **Affording House joint committee members opportunities similar to that currently available to Senate joint committee members**

One further issue to contemplate is affording House members of joint committees the same tabling flexibility as is currently available to Senate members of joint committees. With little notice joint committees are able to table a report and speak to it on any sitting day in the Senate. Thus when a House member of a joint committee presents its report to the House via the Monday Selection Committee mechanism (eg the Joint Standing Committee on Foreign Affairs, Defence and Trade) it is often very old news as the report has been presented to the Senate a week or more previously. The Senate practice of incorporating tabling speeches is not supported as a way of facilitating extra House tabling opportunities, for the reasons outlined in House of Representatives Practice (5<sup>th</sup> ed, pp. 490-3).

## **Options**

The following are some options which the committee might consider. Each has disadvantages and no solution is perfect.

### **1. Increasing the sitting time of the House**

#### *Tuesday starting time*

- Under the current standing orders, the Tuesday sitting day starts at 2p.m. The parties usually conduct party meetings on Tuesday mornings but these normally finish well before the House meets. The Senate currently meets at 12.30pm on Tuesdays, and party meetings would presumably account for this.
- The Tuesday sitting potentially could start as early as 12.30p.m. providing up to an extra 1 hour 30 minutes. This time could be set aside for tabling of committee and delegation reports, statements in relation to them and debate on motions to take note of committee and delegation reports.
- If there were no (or insufficient) reports for debate then priority could be given to private Members' business with the management of the period being with the Selection Committee.
- Two variations on this proposal might be for government business to take precedence if the time was not required for committee and delegation reports, or for an early meeting time on Tuesday to be optional depending on the need for it. In either of these cases the Selection Committee could include in its report on the proposed program of business for the next week a statement in relation to Tuesday business being either a starting time for the sitting or how much of the initial period on Tuesday has been allocated to presentation and consideration of reports (and how much was available for government business). The House could then endorse the proposal.
- Some advantages of extending the sitting on Tuesday include:
  - A high degree of flexibility without intrusion into other business.
  - An opportunity for reports to be tabled on weeks when Monday is not a sitting day.
  - With this degree of flexibility and time available the committee could also consider bringing PWC, JCPAA and other committee reports not normally tabled on Monday into the Selection Committee process wherever possible.
  - More flexibility for committees in getting their reports printed and ready for tabling.
  - If a regular 12.30pm start time was adopted a slight reduction in the complexity of the sitting timetable would be achieved as Monday and Tuesday would have the same start and finish times.
- Some disadvantages include:
  - Possible intrusion on party business time.
  - If the early sitting is optional—uncertainty for Members and others and increased complexity of managing support services for the variable start time.

- If spare time were given to government business, it might lead to expectations or pressures from government for some control of how much of the time they have access to on any particular day.

#### *Monday starting time*

- Under the current order of business, Monday sittings start at 12.30p.m. Members often use Monday mornings for travel to Canberra so it is not feasible to start the sitting at 9am.
- However, it may be possible to start the Monday sitting day a little earlier, say at 11 or 11.30a.m., to provide additional time for presentation of and debate on committee and delegation reports.
- This proposal would provide additional time and keep committee business together in one slot on Monday. It may be difficult for some Members to get to Canberra on time if needed. It would not provide the same degree of flexibility for committees and to cover public holiday Mondays as the Tuesday option. The same issues would arise in determining what to do about the time that was not needed for reports on any particular day.

#### *Thursday finishing time*

- The House could continue its sitting on Thursday beyond 4.30pm and use the period between 4.30pm and (say) 7.30pm to further debate committee and delegation reports and private Members business (motions and bills). Possibly an agreement could be reached or the standing orders modified to defer calls for a quorum or a division during this evening period. The Selection Committee could manage this time period and use it mainly for private Members' business (bills and motions) thus freeing up time on Mondays for more timely debate on committee reports presented that day.

## **2. Changes within the existing order of business**

#### *Private Members' business*

- Monday sittings between 12.30 and 1.45p.m. are set aside for committee and delegation reports, and private Members' business. Private Members' business is also scheduled for another hour later in the day after question time.
- More time could be provided for debate on committee and delegation reports if the time apportioned for private Members' business was reduced. However the Selection Committee has not favoured this approach.

#### *Grievance debate*

- The grievance debate is scheduled on Monday sittings usually running between about 4.35 and 5.55p.m. It is possible that the grievance debate could be moved to the Main Committee (perhaps during a regular Main Committee Tuesday afternoon early evening time slot with a 30 minute period of Members statements beforehand and a 30 minute adjournment debate afterwards) and the resulting time in the House be made available for presentation of and debate on committee and delegation reports. This approach may not find favour with Members.

### 3. The Main Committee and the Selection Committee

- The Procedure Committee has previously recommended a regular dedicated sitting time of the Main Committee to be managed by the Selection Committee for consideration of orders of the day for private Members' business and committee and delegation reports.<sup>5</sup> While this recommendation was not adopted on that occasion it may be worth reconsidering.
- Some potential modifications might include:
  - Having the session on Monday or Tuesday afternoon or evening rather than Wednesday. These times are sometimes used for government business in the Main Committee, for example the budget debate. For example on a Monday when a committee report(s) was/were presented to the House between 12.30pm and 1.45pm the Main Committee could meet that day immediately after question time and further debate the committee report(s). The timing of this debate should go some way to satisfying committee members' requests to debate a report on the same day as presentation and at a time in the day before late afternoon media deadlines. The gap between presentation (say) at 12.30pm and Main Committee debate (say) at 3.15pm could be used by a committee for a media conference if it so desired. If the Main Committee established a practice of sitting on Monday to debate reports between (say) 3.15pm and 5.15pm then this would not unduly interfere with current practice for Main Committee Monday late afternoon evening (5.15pm to 9.15pm) budget debate at certain times of the year. A pattern of sitting the Main Committee on Monday afternoon for the purpose of further debating committee reports tabled that day could be established within the current standing orders.
  - While the Main Committee can only consider orders of the day—motions cannot be moved or reports tabled—a mechanism could be devised for Members to move and second their motions in the House without speaking to them. The items could be referred to the Main Committee immediately. The actual debate would then take place in the Main Committee during that known period in the same week. A similar process could be adopted for committee reports.
- As the whips who manage the programming of business in the Main Committee are members of the Selection Committee a practical arrangement for managing this period and the interaction between the House and the Main Committee should be able to be devised.
- While this proposal has some disadvantages as identified in the original report and the government's response, it would provide the opportunity for more substantive debates and timely debates, not only on committee work, but also on private Members' bills and motions.

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<sup>5</sup> *The Second Chamber: Enhancing the role of the Main Committee*, p.53.

## ***Previous inquiries***

September 1990      *Greater opportunities for debate on reports from parliamentary committees* – House of Representatives Standing Committee on Procedure

During 1990 the Procedure Committee (the committee) examined the opportunities for Members to debate reports of parliamentary committees. The committee commented that 'the work of parliamentary committees is a significant part of the work of the House and its individual Members and should be recognised by the provision of adequate time to debate the reports of those committees'.<sup>6</sup> In particular, the committee noted that it 'is concerned that the time available for debate on reports from standing and select committees is inadequate and does not allow for substantial debates'.<sup>7</sup>

The committee, in addressing these concerns, proposed that the then standing orders be amended to allow more than two members of the committee to make statements on presentation of a report. In addition, the committee recommended that more time be made available for presentation and debate on committee reports. Under the then order of business, the committee proposed that extending the sitting time on Thursdays was the most appropriate course. The committee recommended that the House meet half an hour earlier at 9.30 a.m. on each sitting Thursday. Following petitions, presentation of, and statements on, reports of parliamentary committees and delegations would take precedence until 10 a.m. The resumption of debate on motions moved in relation to committee and delegation reports presented previously then took precedence from 10 to 11 a.m.

The committee noted that if there were no reports for presentation and if there were not an order of the day for the resumption of debate on motions moved in relation to committee reports then private Members business shall take precedence. This arrangement was intended to ensure that there was some time set aside to continue debate on reports presented earlier but ultimately proved to be not flexible enough to meet the needs of Members.

The committee also discussed the situation in which there is typically a high number of reports to be presented towards the end of a sitting period. The committee in addressing this matter proposed that the Selection Committee be given the discretion to extend the time available for presentation of reports beyond the 10 a.m. on the last two sitting Thursdays of each sitting period.

June 1995      *Time for Review: Bills Questions and Working Hours, Report of the review of procedural changes operating since 21 February 1994*, House of Representatives Standing Committee on Procedure

This report briefly discussed the role of the Main Committee in providing time for debate on committee and delegation reports. The committee noted that while reports from committees were still presented in the House, the 'option is now available for the committee to request that the report be debated in the Main Committee.' The committee commented that 'this means, usually, a substantive debate can take place within two or three days of the

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<sup>6</sup> House of Representatives Standing Committee on Procedure, *Greater opportunities for debate on reports from parliamentary committees*, September 1990, p. 1.

<sup>7</sup> *Greater opportunities for debate on reports from parliamentary committees*, p. 1.

presentation of the report and Members other than members of the committee can participate in the debate'.<sup>8</sup>

May 1998 *Ten years on: A review of the House of Representatives committee system*, House of Representatives Standing Committee on Procedure

The committee, as part of its review, noted that 'a number of submissions are highly critical of the small time allocated to debating reports at the time of their tabling.' The committee acknowledged that the Selection Committee allocates time in an even-handed manner, but it is unavoidable that on many occasions only a nominal allocation of time can be made to a particular report.<sup>9</sup> The committee recommended that greater priority be given to debating committee reports, and in addition to the time allocated for debate at tabling, because of the limited time available in the House, time should be allocated for debate in the Main Committee commencing that same week.<sup>10</sup>

October 1999 *It's your House: Community involvement in the procedures and practices of the House of Representatives and its committees*, House of Representatives Standing Committee on Procedure

The committee, in addition to a range of issues, commented on the time provided for debating committee reports. The committee noted that while making more time available in the House is extremely difficult, there 'is scope though for extension of the meeting times of the Main Committee to provide more opportunities for discussion of committee reports.'<sup>11</sup> In addition, the committee recommended 'that the standing orders be amended so that a motion to take note of a committee report automatically stands referred to the Main Committee for consideration and that time be made available for debate in the week following presentation of the report.'<sup>12</sup>

The Government as part of its response to the report did not support this recommendation. The Government stated:

The success of the Main Committee is largely due to its operation as a consensus chamber whereby business is referred only by agreement between the parties....The Government does not consider that standing referral is in fact necessary, as the practice has been that when the Whips have been made aware of Members' desire for more debate time, the majority of reports have been referred to the Main Committee after consultation with the responsible Minister. Referral should remain a matter between Whips who manage the time allocated to, and business conducted in, the Main Committee.<sup>13</sup>

<sup>8</sup> House of Representatives Standing Committee on Procedure, *Time for Review: Bills, Questions and Working Hours*, June 1995, p. 14.

<sup>9</sup> House of Representatives Standing Committee on Procedure, *Ten years on: A review of the House of Representatives committee system*, May 1998, p. 21.

<sup>10</sup> *Ten years on: A review of the House of Representatives committee system*, p. 23.

<sup>11</sup> House of Representatives Standing Committee on Procedure, *It's your House: Community involvement in the procedures and practices of the House of Representatives and its committees*, October 1999, p. 65.

<sup>12</sup> *It's your House: Community involvement in the procedures and practices of the House of Representatives and its committees*, Recommendation 26, p. 66.

<sup>13</sup> Government response to the report of the House of Representatives Standing Committee on Procedure: *It's your House*, October 2000, p. 7.

July 2000

*The Second Chamber: Enhancing the Main Committee, House of Representatives Standing Committee on Procedure*

As part of this inquiry, the committee noted that 'despite the efforts of the House over many years to accord adequate opportunity for the consideration of committee and delegation reports, some Members still feel that the time allocated in the House for the consideration of committee reports does not reflect the work that has gone into their production'.<sup>14</sup> The committee noted that there were opposing views on the effectiveness of referring committee reports to the Main Committee.

The committee proposed that the then order of business for the Main Committee be amended so that there be a regular sitting of the Main Committee on Wednesday afternoons to debate committee and delegation reports and orders of the day, private Members' business. In addition, 'the Selection Committee would manage the allocation of business to the Main Committee for consideration during this period'.<sup>15</sup> These matters were set out in recommendation 8 of the report.

The Government, as part of its formal response to the report, commented that 'the time currently available in the main Chamber and the Main Committee is sufficient for debate on those matters which it is agreed will be allocated parliamentary business time'.<sup>16</sup> In particular, the Government response noted that 'debate on matters occurs in the existing hours of the Main Committee by agreement of the Chief Government and Chief Opposition Whips'.

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<sup>14</sup> *The Second Chamber: Enhancing the Main Committee*, p. 50.

<sup>15</sup> *The Second Chamber: Enhancing the Main Committee*, p. 53.

<sup>16</sup> Government Response to the Report of the House of Representatives Standing Committee on Procedure, *The Second Chamber: Enhancing the Work of the Main Committee*, p. 4.

## 2. Attendance at committee meetings by visitors

### ***Introduction***

House committees, in the course of their business, conduct a range of meetings including public hearings, private (in camera) hearings, inspections, round table meetings and private meetings. Private meetings provide an opportunity for a committee to deliberate in private on such matters as developing a forward work program and report consideration.

In addition, committees also use private meetings for the purpose of receiving private briefings. These meetings are generally not recorded by Hansard and may not necessarily relate to a specific inquiry. Often a committee may wish to inform itself of a particular matter at an informal meeting. For this reason, private briefings as part of private meetings, are a valuable tool for committees.

The House standing orders have recently been significantly revised to make them more logical, intelligible and readable.<sup>17</sup> This is in addition to a range of amendments occurring over many years which have adjusted the wording of these standing orders, including a significant rewrite of the standing orders relating to committees in 1998.<sup>18</sup>

The revised House standing orders introduced on 16 November 2004 (amended on 8 February 2005) may inadvertently have created some imprecision in relation to the conduct of private meetings and the admission of visitors. The following sections outline current and past provisions and suggest a redrafted form of the relevant standing orders to clarify practice in relation to admission of visitors to private meetings.

### ***Current practice***

The relevant House standing orders 235, 240 and 241 are shown below. Emphasis has been added to key words.

#### ***235 Proceedings and sittings of committee***

- (a) A committee or a subcommittee may conduct proceedings using any means approved by the House and in the following manner:
  - (i) in private meeting;
  - (ii) by hearing witnesses, either in public or in private; and
  - (iii) in the form of any other meeting, discussion or inspection conducted under the practice of committees of the House.

#### ***240 Admission of visitors (replaces former standing order 344)***

- (a) A committee or a subcommittee may admit visitors when it is examining a witness or gathering information in other proceedings.
- (b) All visitors must leave if:
  - (i) the Chair asks them to;
  - (ii) the committee or subcommittee resolves that they leave; or

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<sup>17</sup> House of Representatives Standing Committee on Procedure, *Revised Standing Orders: The standing orders of the House of Representatives as last amended on 6 February 2003, redrafted and reorganised*, November 2003.

<sup>18</sup> Following recommendations in *Ten years on: A review of the House of Representatives committee system*.

(iii) the committee or subcommittee is conducting a *private meeting*.

**241 Admission of other Members (replaces former standing order 345)**

Other Members, who are not members of the committee, may be present when a committee or subcommittee is examining a witness, or gathering information in other proceedings. Other Members must leave when the committee or subcommittee is conducting a *private meeting*, or if the committee or subcommittee resolves that they leave.

The previous standing orders 344 and 345 are slightly different to the new standing orders in that they do not refer to *private meetings*. For comparison, the previous standing orders are shown below with emphasis added to key words.

***Former standing order 344<sup>19</sup>***

When a committee or subcommittee is examining a witness, or engaged in other proceedings for the purpose of gathering information, visitors may be admitted. They shall withdraw if requested by the chair or if the committee or subcommittee resolves for their withdrawal. All visitors must withdraw when the committee or subcommittee *is deliberating or taking evidence in camera*.

***Former standing order 345***

Members of the House may be present when a committee or subcommittee is examining a witness, or engaged in other proceedings for the purpose of gathering information, but shall withdraw if the committee or subcommittee so resolves. They shall withdraw when the committee or subcommittee *is deliberating or taking evidence in camera*.

For comparison purposes, it is also useful to note Senate standing order 36 which provides for public and private meetings.

***Senate standing order 36***

Persons other than members and officers of a committee may attend a public meeting of a committee but shall not attend a private meeting except by express invitation of the committee, and shall always be excluded when the committee is deliberating.

***Discussion***

The former House standing orders did not define private meetings but by implication standing orders 344 and 345 permitted committees to conduct private meetings and invite visitors. The only exception was that visitors must withdraw when the committee or subcommittee is deliberating or taking evidence in camera.

Similarly, Senate standing order 36 also provides for committees to invite visitors to private meetings but visitors should always be excluded when the committee is deliberating.

New standing orders 240 and 241 appear to restrict committees from having visitors at private meetings. These standing orders expressly state that Members who are not members

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<sup>19</sup> Standing Order 344 was subject to review by the Procedure Committee in relation to the power of a member to require that visitors withdraw. The Procedure Committee recommended that SO 344 be modified to prevent this. House of Representatives Standing Committee on Procedure, *Sessional Order 344*, June 2003.

of the committee, or visitors, must leave if the committee or subcommittee is conducting a private meeting. It seems unlikely that this was intentional.

Private briefings are a well established practice among committees but they seem to have a foot in more than one camp under SO 235(a). Normally the committee resolves to invite certain visitors to attend and speak to the committee at a private meeting. A transcript of the briefing may or may not be made but no record of the discussion is published by the committee and participants would not be free to discuss it outside the meeting. Commonly the briefing is not associated with a particular inquiry and is therefore not evidence. It is not entirely clear how this type of meeting falls within SO 240. Either:

1. the visitors are attending an information gathering proceeding at the invitation of the committee under SO 240(a); or
2. the committee is in a private meeting and SO240(b) applies but it retains the power to invite visitors despite the standing orders providing that they must leave.

In relation to the presence of other Members at this type of meeting, if situation 1 applies, SO241 would suggest that other Members may be present. However the words 'may be present' (as opposed to 'committee may admit' in SO 240) possibly imply that they may be present on their own initiative without an invitation from the committee.

Neither of these situations is satisfactory. It would seem clear that the principle should be that a committee should have the power to decide who may be present at any of its meetings with the exception of deliberative meetings or private (in camera) hearings. Having people who are not members or staff of the committee (or witnesses) at either of these types of meetings increases the risk of a breach of privilege occurring and has the potential to threaten the integrity and credibility of the committee system.

### **Options**

The current uncertainty over whether Members and visitors can attend private meetings of a committee or subcommittee can be removed if reference to the general term *private meeting* is removed from standing orders 240 and 241 and replaced with *deliberating or hearing witnesses in private*. As the term 'in camera' is no longer used in the standing orders, the proposed words are taken from SO235 which distinguishes hearing witnesses in private from a private meeting.

The reference in SO241 to 'Other Members ... may be present' has also been altered to place the initiative with the committee to determine whether it will permit the attendance of other Members.

The text of the proposed standing orders is shown below:

#### **240 Admission of visitors (replaced former standing order 344)**

- (a) A committee or a subcommittee may admit visitors when it is examining a witness or gathering information in other proceedings.
- (b) All visitors must leave if:
  - (i) the Chair asks them to;
  - (ii) the committee or subcommittee resolves that they leave; or

- (iii) the committee or subcommittee is ~~conducting a private meeting~~ *deliberating or hearing witnesses in private*.

**241 Admission of other Members (replaced former standing order 345)**

Other Members, who are not members of the committee, may be ~~present~~ *admitted* when a committee or subcommittee is examining a witness, or gathering information in other proceedings. Other Members must leave when the committee or subcommittee is ~~conducting a private meeting~~ *deliberating or hearing witnesses in private*, or if the committee or subcommittee resolves that they leave.

These minor amendments would ensure that a committee or subcommittee could invite visitors to private meetings.

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3 November 2005

Ms Robyn McClelland  
Secretary  
Standing Committee on Procedure

**MAIN COMMITTEE OF THE HOUSE OF REPRESENTATIVES MEETING AT  
TIMES OTHER THAN WHEN THE CHAMBER IS MEETING**

On behalf of the Chair of the Standing Committee on Procedure, you asked me of constraints, considerations or principles applying, other than standing order 186, to prevent the Main Committee meeting when the House is not sitting. My short response is that I can see no objections in principle, and in fact believe that there could be a number of advantages if this became common practice.

***Historical context***

In giving further thought to the possibility, it is beneficial to revisit the origins of the Main Committee. Its operation resulted from the October 1993 report of the Procedure Committee *ABOUT TIME: Bills, questions and working hours*. The original concept described in the Committee's report was for "one Main Committee, which would be a 'standing committee of the whole' (paragraph 33). The Procedure Committee recommended that the Main Committee would meet during sittings of the House (paragraph 56).

Also, the Main Committee was recommended in the light of evaluation of ways to respond to the pressure upon the time of the House. It was recommended as a way to deal with the need to deal with an increasing amount of parliamentary business without increasing the sitting days of the House. Understandably in this context, it was envisaged to meet at times when the House was meeting only (but without regard to suspensions of the House).

The Main Committee has been meeting for over ten years now, and its operations have both expanded and become accepted as a normal part of the operations of the Chamber. However, when it was first instituted, the Main Committee was a revolutionary concept. Its introduction did not receive universal support; two committee members of the then opposition, Mrs Sullivan and Mr Filing, incorporated a minority report speaking against the introduction of the Main Committee.

Being revolutionary, there were quite deliberate steps to keep the operation of the Main Committee within limits. Mr Melham and Mr Price, both continuing members of the Procedure Committee now and in 1993, spoke in the House on the October 1993 report and

could provide the Procedure Committee today with more detail on the deliberations of the committee at that time.

### ***Current operations***

Initially, the Main Committee was considered to be on trial. Today, it has more than fully justified its existence. It would not be inappropriate to explore the expansion of some of the earlier limitations, without changing the role of the Main Committee as being subordinate to the Chamber.

In my initial submission to the committee's current inquiry, I recommended that the Chamber should be the original source of parliamentary business and the final determinant. However, within these parameters I think there is still scope for expansion. One such change would be permitting the Main Committee to meet when the House is not sitting. Perhaps as a preliminary assessment measure, the committee could consider recommending the meeting of the Main Committee in non-sitting parts of sitting days. Possibilities might be Monday mornings before the House meets. Another possibility is between 12.30 and 2pm on Tuesdays. The Senate meets during this period, so presumably Party meetings have concluded by that time.

### ***Future possibilities***

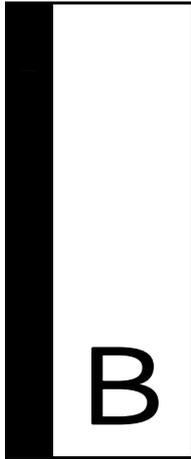
If the committee does decide to recommend along these lines and the recommendations are adopted and operate successfully, there may be future scope for the Main Committee to be the only body meeting on Monday and Tuesday evenings. This would be enhanced if the Main Committee were to meet in a new location that was more accessible to the public. The Chamber could close for the evening, and debate could be conducted in the more intimate atmosphere of the Main Committee.

When the Main Committee was initially set up, all involved were aware of the resource implications. There is no doubt that simultaneous meetings of the Chamber and the Main Committee involves additional resources. Occasional separate meeting times could lead to some rationalisation of resources.

The proposal may also result in a wider reach of the Main Committee's proceedings. In an environment when the Main Committee is the only game in town, or when for example on Tuesday between 12.30 and 2pm its only competition is the Senate, there may be wider interest in events in the Main Committee.

Would you please pass on my thanks to the committee for the opportunity to comment on this matter, and my best wishes to it in its deliberations.

Ian Harris  
Clerk of the House



## Appendix B

# Proposal for the tabling of committee reports – Hon Roger Price MP

### **Current situation**

The selection committee currently allocates a ten minute slot for the tabling of committee and delegation reports in the House.

This is desperately disappointing for those members that put a big effort into committee reports. In order to address this disappointment a take note procedure has developed whereby, with agreement between the Chief Whips, a report is referred to the Main Committee, which allows committee members and other interested members to speak to the report.

The principal short comings of the take note procedure is that usually the report gets debated in the Main Committee some time after the report is tabled and any contribution by committee members loses impact as a result. Also few other (non committee) members put their names down because of the lack of timeliness.

If the committee report is from a joint committee it is often the case that the report is tabled in the Senate and subsequently tabled in the House some weeks later. The time lags involved I would have thought should be of some concern for the House and its members.

The current practice is frustrating for individuals involved and unsatisfactory.

### **Proposed changes**

#### **1. Certification by Speaker**

Currently there is authority under Standing Order 247 for committee reports to be released when the House is not sitting. The committee may send the report to the Speaker and when the Speaker receives the report, the report may be published. I propose no change to this procedure. However, I do propose that all reports be received and certified by the Speaker even when they are proposed to be tabled in the House shortly thereafter.

The receipt by the Speaker would allow the public release of the report at 8am on a sitting Monday thus allowing all members, the public and the media to have early copies of the report.

#### **2. Statements in the Main Committee**

I propose that the Main Committee could sit on a sitting Monday from 11am to 1.45pm. This would allow Members other than the chair and deputy chair to make statements about the report soon after the public release of the report. This would deal with the two significant problems that we currently have – allowing other members to make statements about the report on a timely basis; and the limited time available at present to discuss committee reports.

(This will require a change to Standing Order 186 which prevents the Main Committee meeting when the House is not sitting).

#### **3. A new Report in detail questioning procedure**

I propose a new procedure to allow in detail questioning about a committee report at the conclusion of statements in the Main Committee. There would be a 15 minute questioning process whereby members of the House may question the chair or deputy chair of the committee about aspects of the committee report. The committee chair or deputy chair may elect to answer these questions or may refer the question to a member who might have particular expertise about that aspect of the committee report. This questioning process would sit more comfortably in the more interactive character of the Main Committee. The procedure is not proposed to apply to delegation reports.

#### 4. Tabling in the House

The presentation of committee and delegation reports in the House currently precedes private members' business and grievances debates. It is proposed that tabling in the House at this time would continue and a committee chair or nominee would present the report and minutes as at present, advise that statements about the report had taken place (or were shortly to take place) in the Main Committee and move a procedural motion that the House take note of the report. Thus the actual tabling in the House would take very little time.

#### 5. The Selection Committee

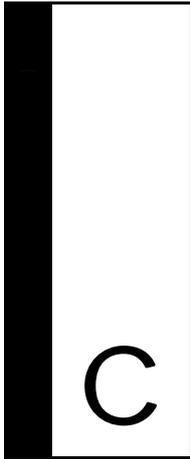
The selection committee would schedule the tabling in the House and also schedule the statements, and if requested by committees, the question process at the conclusion of the statements, in the Main Committee. The selection committee will be in a position to select far more Private Members' motions than it currently is able to. The inability to debate more private members' motions currently is compounded by the fact that so many sitting Mondays are lost due to public holidays. This year six sitting Mondays will be lost.

#### 6. Committee press conferences

Committees are of course free to choose whatever time they like, subject to a breach of privilege, to hold their press conferences. This is usually done around noon on the day of tabling, however, given the Speaker's certification process recommended earlier a committee could choose to have a press conference at 10am and if the report were significant the committee might be able to be picked up on the midday news. It certainly provides much greater flexibility for committees in scheduling their news conferences and gives them a greater chance of being reported.

7. I favour having the debate in the Main Committee. However, the House could sit earlier say at 10.30am on a sitting Monday and the Main Committee would be by passed. However, I have approached the Chief Government Whip about having October 7<sup>th</sup> as a Private Members' day to make up for the lost sitting Mondays but the government has declined to agree. Sitting the House earlier may run into the same reluctance.





## Appendix C

### Results of Members' survey

#### **Survey of Members' views on arrangements for presenting and speaking on committee reports**

(Total number of survey respondents was 36 Members from a population of 150 Members of the House of Representatives, that is, a response rate of 24 per cent)

	YES		NO		<i>Total responses to question</i>
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>	
<b>1)</b> Do you consider there is sufficient time available for the presentation and debate of committee reports? Yes / No [if yes go to question 4]	5	14	31	86	36
<b>2) If no</b> , would you support a proposal to increase the time available for the presentation and debate of committee reports by:					
<b>a)</b> reducing the time available to debate private members' business? Yes / No	6	22	21	78	27
<b>b)</b> transferring debate of private members' business to the Main Committee? Yes / No	17	59	12	41	29
<b>c)</b> increased sittings of the House? Yes / No	10	34.5	19	65.5	29
<b>d)</b> increased sittings of the Main Committee? Yes / No	27	90	3	10	30
<b>3)</b> Would you support a proposal to permit debate of committee reports to start in the Main Committee (perhaps following formal presentation to the House by the Speaker)? Yes / No	25	76	8	24	33
<b>4)</b> Apart from the availability of time, do you consider other arrangements for presenting and speaking on committee reports satisfactory? Yes / No	24	73	9	27	33

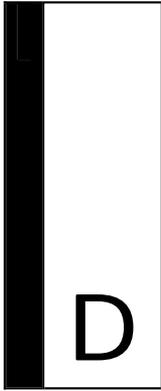
If not, please indicate briefly why . . . . .

## 5) Any other comments or proposals on these or related matters?

(Summary of responses)

- Most reports sit on the bookshelf- It's often years before they get a response from Government.
- Reports are important documents. They should be given a "higher" profile in order to broaden The Community's awareness of the recommendations...etc...
- There is also a great need to have more timely response from the Government to reports.
- I believe that the current procedure of allowing a 5 minute speech by the Chair and the Deputy Chair of Committees is insufficient and undermines the work put in to developing and preparing the report.
- In addition it does not give proper recognition to the many people, organisations, experts, government departments and interest bodies that provide submissions and evidence to the Committees- they deserve more than 10 minutes in the House.
- A Member answered "YES/NO Maybe" to question 2 (c) increased sittings of the House?
- Committee work requires a big time commitment from Members, staff and those person providing submissions and evidence, therefore I believe the tabling process and the treatment by the Parliament needs to reflect this.
- We can start Parliament at 12 noon on the Monday with strict standing orders saying no other business including the suspension of standing orders is permitted until 12.30 pm. This will give those members who want to participate time to be there while excusing others from attending. No suspension of standing orders, divisions to be called for 30 minutes.
- Start earlier on Mondays.
- To question 2 (b) a Member answered Yes and put the comments – not as a matter of course but when a report requires tabling-inquiry rather than delegation.
- With all the work, time and resource that goes into the inquiry and presentation of a report, whatever can be done to highlight the occasion, should be considered.
- It's much better to have the debate of the report at the same time as tabling.
- A Member indicated at question 2 (b) No and then commented 'strongly opposed'.
- A Member answered at question 3, Yes and commented 'only on delegation reports'.
- There should be an opportunity for committees to address the government response-at the instance / request of a committee.

- A Member commented at question 2 (d) increased sittings of the Main Committee? 'No-not for this purpose'.
- Because of time constraints few members of committees actually get to speak on the work/report of committees.
- I suggest that Chairs and Deputy Chairs of committees should meet at least three times a year and report to parliament any trends, developments, successes and concerns to do with the work of parliamentary committees. For example the slipping of government responses to parliamentary committees discussed at the meetings of Chairs and Deputy Chairs held earlier this year was worthy of noting in the House. I would also suggest that Secretariat should present to these meetings re any concerns, resource problems, trends etc that affect secretariat staff in supporting the work of Parliamentary committees.



## Appendix D

Time lag between tabling report in House  
and its debate in the Main Committee

(For the period 2003-04 to October 2005)

Committee and report title	House of Representatives		Main Committee			Time delay in days// sitting days in ( )	
	Date tabled	Total time for presentation and statements	No. and nature of speakers in ( )	Date debated	Total time for debate		No. and nature of speakers in ( )
<b>2003-04</b>							
Family and Community Affairs <i>Road to recovery: Report on the inquiry into substance abuse in Australian communities</i>	8 Sep 03	19 mins	4 (chair deputy chair 2 committee)	11 Sep 03 17 Sep 03	4 hours 2 mins	18 (10 committee 8 non-committee)	3 (3)
Joint Committee on Foreign Affairs, Defence and Trade <i>Expanding Australia's trade and investment relationship with countries of Central Europe</i>	15 Sep 03	9 mins	1 (chair)	18 Sep 03	46 mins	5 (3 committee 2 non-committee)	3 (3)
Procedure Committee <i>Consideration of the annual estimates by the House of Representatives</i>	13 Oct 03	10 mins	2 (chair deputy chair)	25 Nov 03 (Tues)	32 mins	3 (3 committee)	42 (11)
Select Committee on Recent Australian Bushfires <i>A nation charred: Inquiry into recent Australian bushfires</i>	5 Nov 03 (Wed)	56 mins	8 (chair deputy chair 6 committee)	27 Nov 03 3 Dec 03	2 hours 16 mins	10 (9 committee 1 non-committee)	22 (6)
Economics, Finance and Public Administration <i>Rates and taxes: A fair share for local government</i>	24 Nov 03	11 mins	2 (chair deputy chair)	27 Nov 03 3 Dec 03	1 hour 45 mins	13 (7 committee 6 non-committee)	3 (3)

Procedure Committee <i>Arrangements for second reading speeches</i>	1 Dec 03	9 mins	2 (chair deputy chair)	3 Dec 03 4 Dec 03	37 mins	4 (2 committee 2 non-committee)	2 (2)
Economics, Finance and Public Administration Committee <i>Review of the Reserve Bank of Australia annual report 2002</i>	1 Dec 03	10 mins	2 (chair 1 committee)	3 Dec 03	39 mins	4 (4 committee)	2 (2)
Transport and Regional Services <i>Making ends meet: Regional aviation and island transport services</i>	1 Dec 03	9 mins	2 (chair 1 committee)	3 Dec 03	38 mins	3 (2 committee 1 non-committee)	2 (2)
Joint National Capital and External Territories <i>Quis custodiet ipsos custodes?: Inquiry into the governance of Norfolk Island</i>	3 Dec 03 (Wed)	1 min	1 (committee)	4 Dec 03	29 mins	2 (2 committee)	1 (1)
Family and Community Affairs Committee <i>Every picture tells a story: Report on the inquiry into child custody arrangements in the event of family separation</i>	10 Feb 04 (Tues)	12 mins	2 (chair deputy chair)	11 Feb 04 12 Feb 04 18 Feb 04	3 hours 24 mins	15 (9 committee 6 non-committee)	1 (1)
Joint Corporations and Financial Services: 2 reports in one volume and debated together: <ul style="list-style-type: none"> <li>▪ <i>Money matters in the bush: Inquiry into the level of banking and financial services in rural, regional and remote areas of Australia</i></li> <li>▪ <i>ATM fee structure (included in previous report)</i></li> </ul>	16 Feb 04	10 mins	2 (chair deputy chair)	19 Feb 04 (1st report debated only)	39 mins	3 (1 committee 2 non-committee)	3 (3)

Joint ASIO, ASIS and DSD Committee Intelligence on Iraq's weapons of mass destruction: Final report	1 Mar 04	20 mins	4 (chair deputy chair 2 committee)	10 Mar 04 11 Mar 04 24 Mar 04 25 Mar 04	3 hours 31 mins	19 (19 non-committee)	9 (6)
Joint Migration Committee <i>Review of skilled labour migration programs</i>	29 Mar 04	10 mins	2 (chair deputy chair)	12 May 04	6 mins	1 (1 committee)	44 (5)
Education and Training Committee <i>Learning to work: Report on the inquiry into vocational education in schools</i>	29 Mar 04	9 mins	2 (chair deputy chair)	12 May 04	1 hour 7 mins	7 (4 committee 3 non-committee)	44 (5)
Communications, Information Technology and the Arts Committee <i>From reel to unreal: Future opportunities for Australia's film, animation, special effects and electronic games industries</i>	21 Jun 04 (Mon afternoon)	10 mins	2 (chair deputy chair)	23 Jun 04	15 mins	1 (1 committee)	2 (2)
Aboriginal and Torres Strait Islander Affairs <i>Many ways forward: Report on the inquiry into capacity building and service delivery in indigenous communities</i>	21 Jun 04 (Mon afternoon)	10 mins	2 (chair deputy chair)	23 Jun 04	27 mins	2 (2 committee)	2 (2)
Science and Innovation Committee <i>Science overcoming salinity: Coordinating and extending science to address the nation's salinity problem</i>	21 Jun 04	10 mins	2 (chair deputy chair)	Not called on for debated	-	-	-

<b>2004-05</b>									
Health and Ageing <i>Future ageing</i>	7 Mar 05	10 mins	2 (chair deputy chair)	17 Mar 05	48 mins	4 (1 committee 3 non-committee)	10 (7)		
Employment, Workplace Relations and Workforce Participation <i>Working for Australia's future</i>	14 Mar 05	10 mins	2 (chair deputy chair)	22 Jun 05	1 hour 46 mins	7 (1 committee 6 non-committee)	102 (20)		
Economics, Finance and Public Administration <i>Review of the Reserve Bank of Australia annual report 2004 (First report)</i>	23 May 05	10 mins	2 (chair deputy chair)	22 Jun 05	23 mins	2 (2 committee)	29 (13)		
<b>2005-06</b>									
Legal and Constitutional Affairs Committee <i>Report on the exposure draft of the Family Law Amendment (Shared Parental Responsibility) Bill 2005</i>	18 Aug 05 (Thur)	13 mins	2 (chair 1 committee)	14 Sep 05 15 Sep 05	2 hours 25 mins	11 (10 committee 1 non-committee)	27 (7)		
Employment, Workplace Relations and Workforce Participation <i>Making it work: Inquiry into independent contracting and labour hire arrangements</i>	17 Aug 05 (Wed)	15 mins	2 (chair deputy chair)	12 Oct 05	1 hour 35 mins	8 (5 committee 3 non-committee)	56 (12)		